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VOLUME XXVII.

1893.

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Lancashire Lay Subsidies

being an

Examination

of the

Lay Subsidy Rolls

remaining in the

Public Record Office

LONDON

from Henry III. to Charles II.

VOLUME I.

HENRY III. to EDWARD I.

(1216—1307)

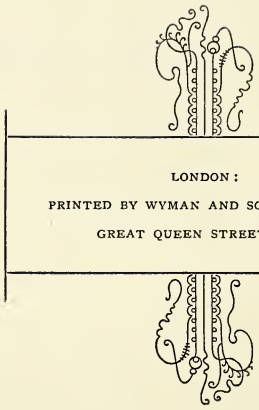
Edited by

John A. C. Vincent

PRINTED FOR

THE RECORD SOCIETY

1893



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NOTE

The INTRODUCTION, having been written since the GENERAL INDEX was printed off, has a separate Index of Names
(pp. lvi-lviii)

Introduction

IT has been suggested to me that in this place use should be made of Madox's great work ;[1] or, as an alternative, Thomas's slighter history of the Exchequer.[2] This advice I have decided not to follow, for the space that can be allowed here may, I venture to think, be better occupied by writing what is in effect a POSTSCRIPT, if one had only the courage to call it by its proper name.

The universal belief that MAGNA CHARTA was *signed* by king John demands notice, although no other result[3] than failure can be expected in attacking a delusion, fostered by many familiar prints, and taught as an historical fact in our schools and universities. It would be sheer waste of time to specify the artists who have treated the subject, or to inquire what painter or engraver led the way. Sufficient for the purpose to name two instances, dated 1802 and 1830. The first, a print which faces page 361 in vol. i. of George Courtney Lyttleton's *History of England*, 1802, and is called at foot :—"*Magna Charta, and the Charter of the Forests signed by King John.*" The king is represented wearing his crown, seated at a low table covered with a cloth, and in the

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[1] *The History and Antiquities of the Exchequer of the Kings of England*, by Thomas Madox. Second edition. 2 vols. London, 1769, 4to.

[2] *The Ancient Exchequer of England, the Treasury*, &c., by F. S. Thomas. London, 1848, 8vo.

[3] The case is not so absolutely hopeless as it appeared when this was written, for I find an unexpected ally in Mr. W. J. Hardy, F.S.A., who has just (Sept. 1893) brought out a handsome volume, entitled "*The Handwriting of the Kings and Queens of England*," and printed by the Religious Tract Society, 1893, folio. He quite confirms—without, of course, knowing that I had written, or should write, upon the subject—my statement by saying that "King John did not—and, what is more "probably could not—write either 'Johannes Rex,' or indeed anything "else at the foot of the charter of liberties."

act of using a pen to set his signature to the upper of two[1] parchment scrolls beneath his hand. Behind him stand three mitred bishops, and an armour-clad knight. In rear of these is the royal pavilion, by the side of which is John's standard, displaying (one being out of the picture) two only of the three lions passant gardant borne by him as arms. Other figures, with a camp seen in the distant background, fill up the space on either hand; three (possibly) barons in civilian dress to the king's right, and to his extreme left, a warrior alone, his hand lightly resting on his sword. Towards one end of the table a figure is kneeling, and holding a book laid upon a cushion. The whole design abounds with the most glaring anachronisms of costume.

The second is the frontispiece to another History,[2] drawn by H. Corbould. Here, beneath a cloth canopy hitched round a tree, the king is seated on a raised dais, or platform, wearing his crown, his left hand resting on a parchment roll, to which with a pen in the other he is signing his name. His shield (displaying the three lions of Plantagenet) and battle-axe are near him on his right; immediately behind him are two mitred figures with other (presumably) ecclesiastics, and in front three mail-clad barons intently watching the process of signing, with shafts of spears, or lances, in the background, and a soldier.[3]

Mr. John Richard Green says:—[4]

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[1] A delusion of Matthew Paris, or rather of Roger of Wendover. There was but *one* charter. *See* Blackstone's Introduction (*The Great Charter*), xxi.

[2] *The History of England*, by Sir James Mackintosh. London, 1830, 8vo. Published in Dr. Lardner's *Cabinet Cyclopædia.*

[3] See also the coloured plate, facing page 111 in the *Comic History of England*, by Gilbert Abbott A'Beckett, 1847, 8vo. Here John is seated with pen in hand writing; a negro page in attendance kneeling and holding a pewter inkstand with the cover thrown back. Mail-clad barons all around.

[4] *A Short History of the English People*, p. 123, ed. 1874; p. 128, ed. 1888. The date of John's Great Charter is made "1215, *July* 15," instead of June 15, by a marginal note, p. 123 (*Short History*, &c.), in the edition of 1874. The same error—"15th of July"—occurs in the text of *History of the English People*, ed. 1877, vol. i. 244; but it has been corrected in the same work, ed. 1881.

"The Great Charter was discussed, agreed to, and signed [1] in a single day."

This statement is certainly incorrect, for it leaves out of account the fact that certain Articles were first settled, and that upon these the Charter was founded. Even then there was no signing at all. Indeed there is strong reason for thinking that John could not write.[2] No doubt he found the advantage of being able to read; but, as to writing, there was no necessity whatever for his learning that art. There were then numerous scribes who did all the writing required; and we may well believe that, in common with the great earls and barons of that day, the king felt an absolute contempt for those effeminate persons, mostly brought up in religious houses, and untrained to, if not incapable of, arms, who used writing as a calling, or practised it as an accomplishment. Moreover, there is this most undeniable fact. The earliest signature[3] ever yet found of any English sovereign is that of Richard the Second in 1386. Charters of all the preceding kings of England are in existence, but diligent and protracted search has failed to find a single instance of a signature earlier than the one just named.

The known reluctance of John to yield to the barons' demands, and his dissimulation in assenting to a conference which was forced upon him by viewing the slender retinue that adhered, or affected to adhere, to him, while their hearts were really with the other side; these at once throw discredit on the assertion, that articles bristling with contentious points, and formulated with the avowed intention of curbing, if not of actually annulling the royal prerogative, could have been "discussed and agreed to" even in a long summer's day, and though dealing with a monarch so weak as John found himself to be at that moment. To take Paris's account of the transaction. The barons, having gained the

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[1] In the larger work the sentence reads: "The Great Charter was discussed and agreed to in a single day."

[2] See page v. note 3, which has been added since this was in type.

[3] See "Introductory Notes" to *Facsimiles of National Manuscripts from William the Conqueror to Queen Anne*, &c., Part I. Southampton, 1865, folio.

Londoners over to their side, and occupying the city in great force, were manifestly in a position to dictate what terms they pleased. The king, sending to them William Mareschal earl of Pembroke with other trustworthy persons, said that for the benefit of peace, and for the dignity and honour of the realm, he would willingly grant to them the laws and liberties which they demanded. The messengers were to tell the barons to provide a fit day and place, at which they could assemble to carry out all their proposals; and these appointed for the day, the fifteenth of June, and for the place, the meadow between Staines and Windsor.

Both parties having arrived on the day appointed (15 June), they proceeded to draw up certain articles, or heads of agreement, and to these the king caused his great seal to be affixed. How then can it be pretended that the "Great Charter" was even discussed in a single day, much less "agreed to and signed," when the preliminary Articles had first to be arranged? Are we to believe that the barons came on the ground with a skin of parchment written out and ready for the king's seal without discussion? The words of Paris, at least, are clear on this point. What he says amounts to this. At length therefore when they had treated thereof with varying fortune (*cum inde varia sorte tractassent*), king John, knowing his weakness as compared to the barons, granted the laws and liberties required, and confirmed them by his charter."[1]

Now first, what evidence is furnished by the Articles themselves? It is manifest from an inspection of these that some time—more, at all events, than "a single day"—was taken up in their composition. They are seen clearly to have resulted from discussion, more or less prolonged; and, above all, the parchment indicates at this moment—a fact, of which you can satisfy yourself by going to the British Museum—a distinct "interval of time" between the writing of one part and that of another. This is how Blackstone (Introduction to *The Great Charter*, &c. xvi.) writes after giving them careful examination :—

"The articles are written on parchment, ten inches and three-quarters

[1] *Matthæi Parisiensis Chronica Majora* (ed. Luard), ii. 588, 589.

broad, and twenty-one inches and an half in length including the fold for receiving the label. To this label, which is also of parchment, is appendant the great seal of king John, of a whitish yellow wax and but little injured by time. . . . Though the hand is very much alike throughout the whole, yet it seems to be perceivable, that a few parts of it were written at some little interval of time from the rest; particularly after sections 45 and 46, which compose each of them one short line not extending the whole breadth of the parchment, the exception *nisi aliter*, *&c.*, is subjoined at the end of them in a more hasty hand, and connected to them by a kind of angular brace, as if added at the instance of the king's commissioners upon more mature deliberation."

After the Articles were drawn up and sealed, time had to be allowed for setting out at length from them the Charter which must necessarily have been written afresh, if only for the reason that wherever the word "king" occurred in the Articles,[1] it had to be changed to "we" in the Charter. Putting aside for the moment the altered wording, there is the consideration, that the Articles (forty-nine) are fewer in number than the clauses (sixty-three) of the Charter; and again, their order differs. For example, Article 23 is Clause 11 of the Charter; Article 7 is Clause 16; and so on. Here is fresh presumption of thought being required, and of time demanded for its exercise. Next, it can be shown by actual contrast, how the terms of the Charter, varying from those of the Articles, absolutely in themselves prove the fact of discussion, and discussion guided by ample legal knowledge on the barons' side certainly, if not on behalf of the king himself.

Take the well-known clause *Nulli vendemus* &c., for comparison with the Article as drawn :—

Articles	Magna Charta
[30] *Ne jus vendatur vel differratur*[2] *vel vetitum sit.*	[40] *Nulli vendemus nulli negabimus aut differemus rectum aut justiciam.*
That right shall not be sold, or delayed, or denied.	To no one will we sell, to no one will we deny or delay right or justice.

Observe first, how the words are entirely altered, and then, how much the language is strengthened in the Charter. Can any sane man pretend that over this one item alone there was not discussion?

[1] Reference may be made to page 3 of this volume, where this alteration is seen.

[2] The spelling is that of the original, as printed by *Blackstone*.

Revision with consequent rewriting is clear in such cases as these which are selected for no other reason than that they are short :—

Articles	Magna Charta
[7] *Ne aliquis majus servicium faciat de feodo militis quam inde debetur.*	[16] *Nullus distringatur ad faciendum majus servicium de feodo militis nec de alio libero tenemento quam inde debetur.*
That no one shall do greater service from a knight's fee than is due therefrom.	No one shall be distrained to do greater service from a knight's fee, or other free tenement, than is due therefrom.
[11] *Ne aliqua villa amercietur pro pontibus faciendis ad riparias nisi ubi de jure antiquitus esse solebant.*	[23] *Nec villa nec homo distringatur facere pontes ad riparias nisi qui ab antiquo et de jure facere debent.*
That no town shall be amerced for making bridges to rivers, save where of right from old time they were wont to be.	No town or man shall be distrained to make bridges to rivers, save those who ought to do so from old time and of right.
[28] *Ne aliquis ballivus possit ponere aliquem ad legem simplici loquela sua sine testibus fidelibus.*	[38] *Nullus ballivus ponat de cetero aliquem ad legem simplici loquela sua sine testibus fidelibus ad hoc inductis.*
That no bailiff shall be able to put any one to law upon his own simple plaint without credible witnesses.	No bailiff henceforth shall put any one to law upon his own simple plaint without credible witnesses brought in therefor.
[41] *Et ut rex amoveat alienigenas milites stipendiarios balistarios et ruttarios et servientes qui veniunt cum equis et armis ad nocumentum regni.*	[51] *Et statim post pacis reformacionem amovebimus de regno omnes alienigenas milites balistarios servientes stipendiarios qui venerint cum equis et armis ad nocumentum regni.*
And that the king shall remove aliens, knights, *etc.*, who come with horses and arms to the annoyance of the realm.	And immediately after the re-establishment of peace we will remove from the realm all aliens, knights, *etc.*, who come with horses and arms to the annoyance of the realm.

The translations in each instance sufficiently demonstrate that time must have been consumed in deliberation. There is no need then to comment on them all, but I would have you notice in the last quotation, how much more explicit the clause in the Charter is than the corresponding Article. By the latter the king is to remove aliens, but the time of doing so is left indefinite. By the Charter, however, it is laid down that he shall do this immediately after the conclusion of peace, that is, at this instant moment. Observe, too, the "all" (*omnes*) inserted in the revised version—all without reservation. He is to have no choice, he is not at liberty to get rid of some, and to retain others, but the whole lot are to return, "bag and baggage," to their native provinces, and thus rid England of their hateful presence.

This is not all. The king's movements are of the greatest importance to this inquiry; and fortunately they can be given with great precision from the "Itinerary," elaborately worked out by Mr. (afterwards Sir Thomas) Hardy in his Introduction to the Patent Rolls of John.[1] I extract so much as is necessary for the purpose in hand. Here we see that John, who was at Odiham on Tuesday the 9th of June, 1215, is found at Windsor from the following day until Monday the 15th, when he appeared at Runnemead, whither he must have gone daily up to and including Tuesday the 23rd of June. The absence of Runnemead from the table does not prove, as Sir Thomas (then Mr.) Hardy has too hastily assumed, that John remained[2] at Windsor on Tuesday (16) and Wednesday (17). We are only justified in saying that no document was *tested*, or rather, that no *teste* has been found in any roll, or record, for either of those two days. The explanation may be that the immediate business in hand was of so important a nature as to override all ordinary matters. John evidently returned to Windsor every night, feeling himself safer in the castle there than in a tent pitched upon a small island near the Thames, and exposed to the risk of his slender guard being overpowered by a sudden attack of superior numbers. We have

June *A.D.* 1215.	
7 ℣	Winchester
8 M.	Winchester
	Merton
9 Tu.	Odiham
10 W.	Windsor
11 Th.	Windsor
12 Fr.	Windsor
13 Sa.	Windsor
14 ℣	Windsor
15 M.	Windsor
	Runnemead
16 Tu.	Windsor
17 W.	Windsor
18 Th.	Windsor
	Runnemead
19 Fr.	Runnemead
	Windsor
20 Sa.	Runnemead
21 ℣	Windsor
	Runnemead
22 M.	Windsor
	Runnemead
23 Tu.	Runnemead
	Windsor
24 W.	Windsor

[1] *Rotuli Litterarum Patentium.* London, 1835, folio.

[2] "He was again at Odiham on the 9th, whence he returned to Windsor, and continued there until the 15th: on that day he met the barons at Runnemead by appointment, and there sealed the great charter of English liberty. The King then returned to Windsor, and remained there until the 18th of June, from which time until the 23d he was every day both at Windsor and at Runnemead, and did not finally leave Windsor and its vicinity before the 26th of the same month . . ." [*Rot. Litt. Pat.* (Hardy), Introduction, xxix.]

the fact[1] stated by himself that by the favour of God peace was made between him and his barons at Runemede near Stanes on Friday after the feast of Holy Trinity, and that he took their homages there on the same day.

The writ above-mentioned is dated 18th June which, as it refers to what took place on the *nineteenth*, is a manifest error of the Chancery clerk. On this point Blackstone remarks[2] (Introd. xxiii. note) :—

"The chronicle of Dunstaple[3] expressly fixes the day of SS. Gervasius and Protasius, or 19th of June, for the day of completing the peace; and the following writ of the king himself, directed to the leaders of his own forces, states the peace to have been concluded on the Friday after Trinity Sunday, which was also the 19th of June, though by some oversight the writ itself is tested on the 18th; possibly by the clerk's mistaking a *v* for an *x* (*xviij* for *xxiij*). . . ."

He thinks it probable that the several "duplicates" of the Great Charter—of which one was sent to every county and also to every diocese—were completed and sealed on Friday the 19th. This may have been so; but, with his Itinerary before us, how is John's daily attendance after that date to be explained? At no other time during his entire reign than those days in June 1215 is his *teste* found at Runnemead. His persistent presence, day by day, at this place is intelligible in no other way than that there was yet something to be done. A plain, bare of human dwellings, and so lately the scene of his great humiliation, is scarcely the place for John to choose for the transaction of business other than that which had compelled his attendance. If the "peace" mentioned by him meant the sealing of the Articles, there still remained the work of embodying them in the form of a charter, and this may well have occupied the interval between the 19th and 23rd of June.

Rex Stephano Harengod &c. *Sciatis quod firma pax facta est per Dei gratiam inter nos et barones nostros die Veneris proxima post festum sancte Trinitatis apud Runemed' prope Stanes ita quod eorum homagia eodem die ibidem cepimus. Unde vobis mandamus*, etc. *Teste meipso apud Runemed' xviij die Junij anno regni nostri xvij°.* [*Patent Roll*, 17 *John*, *m.* 23, printed in Rymer's *Fœdera* (new edit.), i. 133]

[2] *The Great Charter and Charter of the Forest*, &c. Oxford, 1759, fol.

[3] See *Annales Monastici* (ed. Luard), iii. 43.

Mr. Green[1] goes on :—

"Copies of it [the Great Charter] were made and sent for preservation to the cathedrals and churches."

He thus makes it appear that the copies were sent to ecclesiastics only ; whereas they were equally important for the laity, and went actually to the several sheriffs[2] of counties. How "cathedrals and churches"? If by "cathedral" be meant the head church of a diocese, what then are the churches? Parish churches, or what? There is the authority of the *Annals of Dunstaple*[3] that one copy was deposited in some safe place in each diocese. Moreover, for my part I am quite unable to share Mr. Green's emotion, of which he writes[4] in these terms :—

"One copy of it still remains in the British Museum, injured by age and fire, but with the royal seal still hanging from the brown, shrivelled parchment. It is impossible to gaze without reverence on the earliest monument of English freedom which we can see with our own eyes and touch with our own hands, the great Charter to which from age to age patriots have looked back as the basis of English liberty."

Scarcely "touch with our own hands," for the parchment is now protected by glass. What remains seems rather to excite wonder that so much pains should have been taken to preserve a document of which scarcely a word is legible. Again, one's patriotic enthusiasm is apt to be further damped by accidentally stumbling upon the following passage which emanates from a competent writer, and seriously affects the value of the relic :—

"However,[5] notwithstanding all the care taken by such multiplication of copies, it is singular that no contemporary copy of King John's Magna Carta has yet been found. The copy called the Lincoln copy, from the place wherein it is deposited, is certainly not of so early a date. The *original articles* which the barons demanded of the King, and

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[1] *History of the English People* (ed. 1881), vol. i. 244.

[2] So Ralph Coggeshall :—*Mox igitur forma pacis in carta est comprehensa; ita quod singuli comitatus totius Angliæ singulas unius tenoris haberent cartas, regio sigillo communitas.* [*Veterum scriptorum . . amplissima Collectio* (Martene & Durand), tom. 5, 876 A.]

[3] "*Et confecte sunt ibidem charte super libertatibus regni Anglie, et per singulos episcopatus in tutis locis deposite.*" [*Cotton MS.* Tiberius A. 10, f. 14; printed in *Annales Monastici* (ed. Luard), iii. 43]

[4] *A Short History of the English People*, 1874, p. 123.

[5] *Rotuli Chartarum* (ed. Hardy), 1837, folio. Introduction, p. ii. note 5.

which constituted the substance of the Great Charter, are deposited in the British Museum ; a very correct and faithful lithographic copy of which has been lately made by Mr. Nethercliffe."

Besides, although it is true that John's Charter was the "basis of English liberty," its subsequent history should be borne in mind. It is manifest that, after the king's decease the prelates and barons, who joined William Mareschal earl of Pembroke and Cardinal Guala the papal legate in acknowledging his son Henry as John's successor, concurred alike in the opinion, that the death of one of the contracting parties put an end to the agreement which had been made. Hence their anxiety to get his father's Great Charter renewed in some form during the first days (12 Nov. 1216) of the young king's reign. This action is common throughout English history. Upon the accession of a new sovereign the religious houses, and many great persons, proceeded with the least possible delay to obtain confirmations of their existing charters and privileges, under the evident belief that the incoming monarch had power to repudiate, and to annul at his pleasure, the acts of his predecessor or predecessors former kings of England.

The Great Charter which stands at the head of our Statute-book, and upon which the establishment of our liberties is really founded, is that passed in the ninth year of the reign of Henry the Third (11 Feb. 1224–5). Blackstone (Introduction) clearly shows that "the variations between this and the great charter of king John are very considerable ;" and he has set out very carefully in detail the changes and omissions made. The case is well stated by Sir Edward[1] (then Mr.) Creasy ; and as, in addition, he gives a very high opinion of Blackstone's great work, to which I am much indebted, I quote his words, in preference to using any language of my own :—

The Great Charter of 9 Hen. III.

"The Charter with which our Statute-book commences, and with which alone the greater part even of professional students are familiar, is not the original Great Charter of John, but is a copy of it, as confirmed by Henry III., with several important modifications and omissions

[1] In 1860 made Chief Justice of Ceylon. He is best and most widely known by his work, entitled "Fifteen Decisive Battles of the World," 1852, 8vo., of which there are many subsequent editions.

Both Charters may be seen at length in the original, in Blackstone's admirable tract on the Great Charter; a work far superior to any of his others in industrious research and sound critical judgment; and in which all the preliminary documents and corroborative instruments connected with Magna Charta, down to its final and peaceful establishment, in the 28th year of Edward I., are chronologically arranged and compared." [Here in a note] "The only defect of any consequence in this *chef d'œuvre* of Blackstone is, that he does not reject with sufficient decision the myth of the Great Charter having been copied from a lost and found Charter of Henry I." [*The Text-book of the Constitution*, page 6; by E. S. Creasy. London, 1848, 8vo.]

The reader may be disposed to think that there is "something too much" of the Great Charter already in this volume; so I will here allow myself only to remind him further that, dating from the grant of MAGNA CHARTA by John to the final confirmation of Henry's Charter by Edward the First—from 1215 to 1301—three generations of Englishmen arose. The struggle for liberty passed from sire to son during a period little short of ninety years. Mr. J. R. Green is alone among historians in stating that the Great Charter was agreed to in a single day. Writers of such varying merit and repute as *Carte*, *Creasy*, *Goldsmith*, *Hume*, *Keightley*, *Lingard*, *Lyttleton*, *Mackintosh*, and *Sharon Turner;* all agree that the conference between the king and his barons lasted for some days.[1] They rely upon, and indeed cite, Rymer's *Fœdera* (p. xii, note 1) for the evidence, of which Mr. Green could have known nothing. He was equally innocent of any acquaintance with Blackstone's work, although a knowledge of it is absolutely indispensable for any one who attempts to write upon this matter. However much we may admire the flowing style of his *History of the English People*, it is impossible to close our eyes to the fact that, as to a capital event of this history, its author, when weighed in the balance of the Records, is found wanting.

Tomb of king John.

With regard to the exact spot of John's burial (pages 1, 2), in a paper on Worcester Cathedral[2] written by Mr. James Parker, of Oxford—to which he kindly called my attention—some space is naturally devoted to a description of the king's monument which now occupies a conspicuous position

[1] What Matthew Paris wrote has been mentioned above (pp. vii, viii).

[2] Printed in *The Penny Post*, September and October, 1887, 8vo.

in the central gangway of the choir. The date of the carved effigy may be assigned, as I have pointed out elsewhere (page 2, note), with certainty to the year 1232, when the body was laid in a new sarcophagus in presence of his son Henry, his daughter Alianor, and others. By his will John had directed that his body should be buried in the church of S. Mary and S. Wulfstan of Worcester. No apology is, I am sure, needed for extracting at length Mr. Parker's interesting remarks (page 262) on this subject:—

"The author of the 'Annals of Worcester' adds, that he wished to be buried between the tombs of S. Oswald and S. Wulfstan, in accordance with Merlin's prophecy, 'He shall be placed amid the Saints.' Not only was his tomb placed in front of the high altar, so that the tombs of those saints would be on either side of his, but on his effigy, possibly by his own express desire, or if not by the order of his executors in fulfilling what they conceived to be his wishes, the figures of these two Bishops and Saints were sculptured on either side of his head. It has been supposed that the sculptor has attempted a portrait of the king. He is represented as habited in a thickly-plaited robe, perhaps copied from that in which, as narrated, his body was brought to Worcester, and it appears to have been represented of crimson colour with gold ornaments. The coronet (which was inscribed Johannes Rex Angliæ), the sword, the boots, and the lion at his feet, have evidently all been originally gilt, though the material is Purbeck marble. The collar, the backs of his gloves, the handle and hilt of the sword, and the mitres, collars, and gloves of the Bishops, have all hollow cavities, which no doubt once held jewels, but they have been removed, not to say stolen. The sceptre, too, which has gone, was probably of metal gilt, and possibly held jewels of value. It may be mentioned here that while the character of the large slab of marble on which his effigy is carved shows it to have been completed soon after his death, the tomb itself on which it now rests is not earlier than the sixteenth century. It probably originally rested upon the floor, and over the stone coffin which lay immediately beneath it."

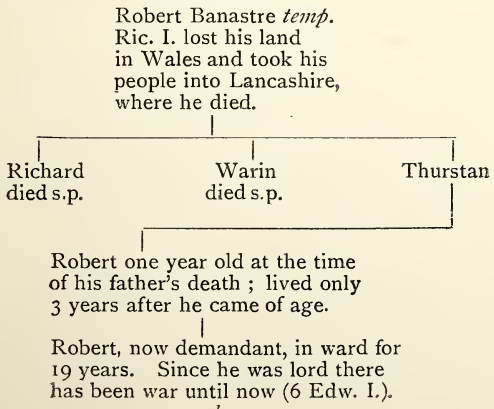
He is of opinion (p. 264) that "the original place of burial must have been if anything a few feet west of its present position rather than to the east of it." In 1797 it was proposed by the cathedral authorities to remove the monument further eastward. Mr. Parker goes on:—

"However, when they began their work, they found within the square tomb the actual stone coffin resting upon the stone floor of the church, and in it was found the body. A full description of what remained was written at the time. The corpse had been buried in a long rich robe, no doubt the one already referred to, and similar to that represented on

he effigy, since so far as there were traces it might have been of a crimson colour. The head was enveloped in a cowl tied under the chin. The left hand had evidently held his sword, but the sword itself had almost completely perished."

The suggestion (p. 109) that the persons called "Westereis" —*Westrenses* in Latin—are the same as the Welshmen (*Walenses*) of Warin Banastre, is borne out by a petition, dated 6 Edw. I., and printed in *Rolls of Parliament*, i. page 2. This sets out the right of Robert Banastre to the manor of Prestatun in Englefield. He alleges his descent from one Robert Banastre who came to England with the Conqueror, and had this manor with other lands. His descendant, also Robert, in the reign of Richard I. built a tower at Prestatun which still (6 Edward I.) remains. In his time Owen ap Gweynor was Lord of Wales; and, while Richard was in the Holy Land, he took the king's castle of Rothelan, and drove the English out of Wales. The last-named Robert Banastre thus lost his land in Wales, and thereupon took all his people from Prestatun into Lancashire, where they are still called Westroys. This Robert died, leaving three sons; Richard, Warin and Thorstan Banastre; and during his time there was war with the elder Lewelyn. Of these three, Thorstan alone left a son who at the time of his father's death was but one year old. He was in ward for twenty years and lived only three years after attaining his majority, having a son, the petitioner, who was a ward for nineteen years. In pedigree form as under :—

Westereis or Welshmen of Banaster.



Some explanation, if not apology, is perhaps needed for the numerous Latin, and occasional French, quotations made throughout this work. In compassion to the weak-kneed however, the rule which I have laid down, and (so far as I know) acted upon, is to introduce, or to follow, the passage cited with its purport in English, so that the indolent reader may skip all the Latin, or French, and yet lose nothing of the sense in so doing. If a reason were wanted for these citations, I might adduce that given by Dr. Brady,[1] under "Advertisements to the Candid Reader":—

"That some particular Parts of the Citations in Latin and French, are more frequent than they might have been, because many Men, without the Words of the Authors themselves, are loth to understand or believe such things as are delivered by them."

I have adopted that "useful method" (as Bishop Nicolson[2] says) of giving "at large all those Original Evidences whereby the Author justifies his Narrative."

My debt to Blackstone for his admirable work, to which such frequent reference has been made here and elsewhere in this volume, is indeed great; but that debt is made greater by his counsel (which I have taken) as to the mode of printing Latin records. It would be well if the promoters of the "Rolls Series" acquainted themselves with his system, and rejected the rule laid down for editors to alter the words to what is called "classical Latin." It is remarkable that we should be still groping in the dark, when so complete a rule was laid down for our guidance one hundred and thirty-five years ago. Blackstone's note is so excellent that, in spite of having to add to the numerous quotations from him and others, I copy exactly what he says (Introduction, xvi. note m):—

"The reader is also desired (once for all) to take notice that, in the printing both of this and the rest, the originals have been literally and scrupulously copied even where there was an apparent error. . .

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[1] *A Continuation of the Complete History of England . . . Edward* I. II. and III. *and Richard the Second.* London, 1700, folio. See page preceding the Index.

[2] *The English Historical Library* (p. 87), by W. Nicolson, Bishop of Carlisle. London, 1714, folio.

The editor however hath made no scruple to express at full length all such abbreviations in the originals, which are commonly known to those who are conversant in records, or where the terminations of the words were sufficiently ascertained by the grammar and sense of the context. Where they could not be so ascertained he hath left them abbreviated as he found them, by adding a comma or apostrophe at the end to denote the elision."

I have followed the example of Blackstone also in another important particular, that is, by discarding punctuation in printing such documents. A point (other than the full stop at the end) which has crept in here and there has been allowed to stand in order to avoid making a needless correction of the press. This system of leaving out the points is, so far, a departure from the originals which are punctuated indeed, but in a style peculiar to mediæval writers, and one that does not accord with our modern usage. The omission of stops need cause no embarrassment whatever to the ordinary student of records; and, if I may judge from my personal experience, their absence is a positive help towards understanding what is written. Another thing. The full point usually placed after the heading of the pages I have disallowed altogether; and, in the text generally, I have endeavoured to repress as much as possible the *comma*, that 'humble but useful soldier always ready to do his duty."

The danger of extending contracted Latin words has been forcibly shown by the late Sir Thomas Hardy;[1] but within the limits laid down by Blackstone, and quoted above, any such risk is reduced to a *minimum*. There is always present the serious danger of misreading,[2] caused by hurry, imperfect light, or some peculiarity of the scribe; and, more than all, by the fallibility of the individual reader. There are real difficulties moreover in the writing. Certain letters are very much alike; *S* and *M*; *A* and *D*; *R* and *K*; *E* and *G*; *H* and *N*; *O* and *C*; may be taken, one for the

Mistakes in reading.

Letters mistaken, one for the other.

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[1] *Registrum Palatinum Dunelmense*, iv. Preface, xiii.—xxiii. Record Series, 1878, 8vo.

[2] In an official Repertory which belongs to the reign of James the First I have four times found *Kanc.* written on the margin for Lanc.; the latter county being clearly indicated by the hundred named; Salford, Derbyshire (for West Derby), &c.

other. Thus from time to time have been printed such errors as *Sobbury* for Modbury; *Mucton* for Sutton, &c.

So much for the capitals, of which more might be said. With the small letters the same, or even worse, confusion is frequently found. Dotting of the *i* being usually omitted by mediæval writers, three strokes close together may stand for *m*, *in*, or *ni*. Such a word as *inimicis* (which I once encountered in the inrolment of a charter to, I think, Exeter Cathedral), for example, when written without dots, is all but undecipherable. There is great similarity between *e* and *o*, *a* and *o*, *l* and *b*, and (at certain periods) *x* and *p*. Again, the letters *c* and *t* are often written alike. *Apropos* of this last-named difficulty, I may instance what happened on one occasion when I was much puzzled with a contracted word in a roll, from which I was extracting an important letter of Henry III.[1] Application for assistance from the best readers in the Public Record Office led to a very equivocal result. On my mentioning to the late Mr. E. C. Thomas the varying versions given by persons, no two of whom agreed, or would agree, he thought the particulars sufficiently interesting for one of his NOTES in the *Library Chronicle* of Dec. 1885 (vol. ii. p. 175), as follows:—

"A curious illustration of the difficulty and uncertainty which so often attends the extension of the contractions found in mediæval manuscripts has recently turned up at the Record Office. The contraction referred to was found on one of the Close Rolls, temp. Henry III. Various authorities—all of them experts of the first water—after very careful examination, proposed to extend the contraction in the following different ways:—*A* read it initiamentum; *B* mutationem; *C* interatim; *D* materiam; *E* instantiam; *F* mentionem; *G* inde causam; while three authorities gave up the puzzle as insoluble. Several of the experts now agree that *inde causam* is the right extension, though some of them still defend their own several interpretations. It should be observed that the difficulty does not arise from any defective condition of the parchment, which is quite clean, while the writing of the phrase is perfectly distinct. – R. O."

The story of a misreading may not be out of place here

[1] If any one cares to "decide when doctors disagree," he may like to have the exact reference, *Close Roll*, 27 *Hen.* III. *part* 1, *m.* 13 *d.* Dated at Bordeaux, the ninth of January.

In Rymer's *Fœdera* (Hague edition, tom. ii., p. 83) occurs the following:—"*in quibus Diche Cyregrapharius Judæorum nostrorum*[1] *esse consueverat.*" Hereupon Du Cange inserts "Diche" in his Glossary,[2] and cites Rymer as authority for the use of the word. "Dicha" (for Dica) he takes to be a schedule, and the Chirographer of the Schedule is the person whose duty it is to set down anything to be noted, such as taxes, or impositions. The editors of the new (or Record) edition of *Fœdera* discovered the true reading to be *Arche* and printed accordingly (vol. i. 543), "*in quibus* arche-cyregrapharius *Judæorum nostrorum esse consueverat.*" Tovey's version[3] is somewhat different; for, in quoting the king's writ at length from *Patent Roll*, 5 *Edw.* I. *m.* 13 dorso, he has—"*in quibus* Dicka [here a *, and on margin, *A Tally] Cyrographaria Judæorum *nostrorum, esse consueverat.*" The proper reading is, "*in quibus* arche cyrographariorum[4] *Judeorum nostrorum esse* consueverant." This is seen by a writ of Edw. I., directed to the justices assigned for custody of the Jews, and commanding them to restore to two persons, whose debts in Jewry had been pardoned by Henry III., any charters found in the chirographers' chest.[5] Here the words, *archa Cirographariorum* are written at length.

Variations in the spelling of names are a constant source of perplexity. The same man may be intended notwith-

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[1] The context is printed elsewhere (page 173, note 2) in this volume.

[2] ¶ DICHE, pro *Dica*, Schedula vel *Talleola*, si bene conjecto: unde *Diche Cyregrapharium* eum existimo, qui curam habet in *Dica* notandi quæ sunt annotanda, ut *tallias* seu impositiones, &c. Charta Edwardi I. Regis Angl. ann. 1277. apud Rymerum to. 2. p. 83. *Cum nuper provideri fecerimus, quod Judæi regni nostri manerent in civitatibus & burgis nostris propriis, in quibus Diche Cyregrapharius Judæorum nostrorum esse consueverat*—[Du Cange, *Glossarium*, Paris, 1733, folio.]

[3] *Anglia Judaica*, page 205. Oxford, 1738, 4to.

[4] Madox appears to have been in some uncertainty (*Hist. of Exch.* i. 243, note m) as to the correct extension in a parallel passage cited by him, for he has "quæ in Archis Cyrograffar. seu alibi de præfatis debitis inveniri contigerint. Hil. Commun. 18 E. 1. Rot.—b."

[5] "*Et cartas inde si que in* archa Cirographariorum *invente sint sine dil*[aci]*one eisdem Will'o et Michaeli restituatis. Teste rege apud Wynd' xx. die Febr'.*" [*Close Roll*, 3 *Edw.* I. *m.* 21.]

standing the fact that his surname appears in very differen forms. Mr. Thomas[1] has given these instances :—

De la Chau De la Shau De la Shaw De la Sauche De la Soulche De la Souch La Chaux Leschault Lassaux	This is the same man, but his name spelt differently by different persons —probably according to their notions of sound.
Scipperus Skipperus Deecke D'Ecke	The same man ; sometimes called by his surname, sometimes by his title, Sieur d'Ecke, Mons. D'Ecke.

These are of course much later in date than anything contained in the present volume. Here doubt is rather caused by the "*de*" following the Christian name ; whether it is territorial, or a mere adjunct to indicate birth, or residence, in a town or village. Casual mention (p. 154, n° 23) is made of Sibil, daughter of Remigius *de Pokelinton.* She (with her father) should—I find now—have been indexed in P under that *surname*. An inquisition,[2] taken at Uluisthorp (perhaps Owsthorp now) near Pokelington, on 31 May, 1297, after the death of Dionisia, who was wife of Remigius de Pokelington, finds that she held (being jointly enfeoffed with her deceased husband) of the heir of Isabella countess of Albemarle lands in Pokelington ; and that Roger, her son and heir, aged forty-five years, is also heir of his father Remigius. By the like rule, in the same paragraph (p. 154, n° 23) another name should probably have been indexed in O, John son of Martin *de Ottringham.*

Spellings of Surnames.

One is apt to think that a man himself is good authority for the way in which his surname should be written. What then are we to say when members of a family, signing their names to a formal document, and sworn before a justice of the peace, adopt different modes of spelling (as it seems)

[1] *Historical Notes*, 1509–1714. Compiled by F. S. Thomas, Secretary of the Public Record Office. London, 1856, 8vo. (vol. i. Preface vii.).

[2] *Chancery Inq. p.m.* 25 *Edward* I., n° 54.

out of perverse obstinacy? Take these for example. Sir Edward Fitton, Alice his wife, and Edward their son and heir apparent, are called upon to subscribe the Concord of a Fine;[1] and this is what is found :—

Ed : Fyton
A. Fyton
E. Phyton.[2]

So in like manner Thomas Wilbraham, esq., and Richard, his son and heir apparent, write their signatures[3] on the same day (4 Oct. 1602), thus :—

Thom̃s Wylbram
Rich : Wilbraham.

Henry Tracy of Todington, co. Gloucester, esq., and Elizabeth his wife sign a request[4] to purchase, dated 3 July, 36 Hen. 8 (1544) :—"harry trassy, Elizabeth traycy." Sir Edmund Trafford, knt., one of the Commissioners in Salford Hundred, signs (5 May 1549) the certificate for the first payment of the Relief[5] granted to Edward the Sixth :—"Edmūd Trayfort."

Octave of a feast.

With regard to the "Octave" of a feast, the rule uniformly adopted throughout this volume is to reckon it as the 8th day, including the day of the feast, *i.e.*, the 7th day[6] after the feast. Thus the Octave of S. John Baptist (24 June) is the first of July; the Octave of S. Michael (29 Sept.) is the

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[1] *Chester Fines*, *Autumn* 40 *Eliz. m.* 85; *Spring* 41 *Eliz. m.* 20; *Autumn* 43 *Eliz. m.* 99; *Spring* 44 *Eliz. m.* 96; *Autumn* 44 *Eliz. m.* 88. Sir Edward Fitton married Alice, daughter and heir of Sir John Holcroft of Holcroft, Lancashire. Mary Fitton, the younger of their two daughters, and some time maid of honour to Queen Elizabeth, is believed to have been the "dark lady" of Shakspere's *Sonnets*. See *Dict. of National Biography* for notices of father and daughter.

[2] The spelling "Pharam" for Fareham is found in *Feet of Fines*, *co. Southampton*, *Hilary* (1609-10), 7 *James* I.

[3] *Chester Fines*, Autumn 44 Elizabeth, m. 81.

[4] *Exchequer. Augmentation. Particulars for Grants.* Tracy (Henry), *grantee*, 36 Hen. 8.

[5] *Exchequer. Lay Subsidies*, *Lancashire*, 131/173.

[6] See Bond's (John J.) *Handy-Book for verifying Dates.* 1875, 8vo. *s. v.* Octave.

sixth of October. Sir Thomas (then Mr.) Hardy lent the sanction of his authority to a system of (what he calls) "indefinity," which is not borne out by the Records of any reign :—

"When a date is described as in the octaves, it means any day within the seven days next following the day of the feast ; in the quindismes, in the instance of Easter, it means the eight days preceding and the eight days following Easter day ; in all other instances the quindismes begin on the feast day itself, and continue for 15 days after that feast; and by the expression in three weeks, a month, or five weeks from any feast, any day within such term is intended." [*Rotuli Litterarum Patentium*, 1835, folio. Introduction, xli. note 1.]

Of the countless instances that might be adduced in proof of the very contrary of what is here stated, take these :—

Octave a precise day.

"Essonia capta apud Lanstaneton' die Lune proxima post festum Sancti Barnabe apostoli, scilicet, in Octabis ejusdem." (Essoins taken at Launceston on Monday next after the feast of S. Barnabas Apostle, to wit, in the Octave of the same.) This is the heading of a roll, formerly called *Coram Rege*, [3] *John*, n° 9 ; but now made *Assize Roll*, n° 1171. In the year 1201 (Sunday letter G), 3 John, S. Barnabas' day (the eleventh of June) fell on a Monday, and the octave is the following *Monday* (18 June).

"Inquisicio facta *etc.* apud Upsall die Dominica in octabis Sancte Trinitatis anno regni Regis Edwardi sextodecimo de terris et tenementis Gilberti de Luda" *etc.* (Inquisition made &c. at Upsall on Sunday the Octave of Holy Trinity in the 16th year of the reign of king Edward concerning the lands and tenements of Gilbert of Louth, &c.) Easter-day falling on the 28th of March in 1288 (16 *Edw.* I.), Trinity Sunday was the 23rd of May, and the *Sunday* following (30 May) the octave of the feast.

The Accompt of Philip de Wilugby (Willoughby) for arrears of the Thirtieth (quoted at p. 170) "a die Jovis in Octabis Apostolorum Petri et Pauli anno xij° usque diem Mercurii in vigilia Ascensionis Domini anno xvij°" (from Thursday (6 July) the Octave of the Apostles Peter and Paul (29 June) in the 12th year (1284) up to Wednesday (18 May) the eve of Ascension-day (19 May) in the 17th year (1289) of Edward the First). Here again we have a

precise day, *Thursday*, for the octave. Nicolas[1] attempts to make a distinction between "in the Octaves," and the "Octave," but nothing of the kind is known to the Records.

It may be objected that Sir Thomas (or Mr.) Hardy meant to confine his remarks to *Fines* levied in the King's Court. Very well. To the Fines we will go. It should be observed in passing that he follows the note before quoted (xxiv) with another (2) on the same page (xli), in which he cites a series of fines levied from 6 to 12 John (1204–1210), *each* of which is dated on some day of the week; Monday, Tuesday, &c.

First, in looking through a file, or bundle of Fines, frequent instances are seen of days exactly named; such as, the morrow of Holy Trinity, the morrow of the Ascension, the morrow of Souls, and so on. From analogy, therefore, we should expect to find others dated on a specific day. Such is the case, as may be shown by any file of *Feet of Fines*[2] for any county, in the Michaelmas term of any year of Queen Elizabeth's reign. Take Bedfordshire—any other county would do equally well—for example, Michaelmas 41 and 42 Elizabeth (1599). Here these forms occur:—"in octabis Sancti Michaelis anno *etc.* quadragesimo primo" (in the octave[3] of Saint Michael in the 41st year); "in octabis Sancti Martini anno *etc.* quadragesimo secundo" (in the octave[3] of Saint Martin in the 42nd year). In the first we are not able to test the date as we can in the second. The octave of Saint Michael is here the 6th of October (1599), 41 Eliz. The feast of S. Martin (let us remember) is the eleventh of November. Now Elizabeth's regnal year began on the *seventeenth* of November; and, as the 42nd year of her reign is named, the Octave, so far from meaning "any

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[1] The Chronology of History, &c. (ed. 1838), page 103.

[2] For an explanation of what is meant by "Feet of Fines," reference may be had to vol. iii. of the RECORD SOCIETY'S publications (Introduction, x).

[3] I am, of course, aware that the *proper* language of a Fine is "in eight days of S. Michael," "in eight days of S. Martin," &c. Whether it be "octave," "octaves," or "eight days," the same thing is meant.

day within the seven days next following the day of the feast," *must* be either the 17th, or the 18th, for the 16th Nov. and preceding days are in the 41st year. Hence it is certain that the octave is the 18th of November; 11+7=18.

The same mode of reckoning is found in other records. Take this from a *Common Plea* roll[1]:—"Ad hunc diem scilicet in Octabis Sancti Michaelis" (At this day, to wit, in the Octave of Saint Michael). This is an usual, in fact, *the* usual form. It is impossible to consult the rolls of any Court for any reign without finding repeatedly *one day* and no more for the octave. Here is a roll casually in use by one of the searchers at the Public Record Office. I examine it and find on *membrane* 1 (repeated on *mm.* 2, 4, 5, 6, 7, 8, 9) the form:—"Ad hunc diem scilicet in Octabis Sancti Hillarii isto eodem termino usque quem diem predicti . . . habuerunt licenciam inde interloquendi"[2] *etc.* (At this day, to wit, in the Octave of Saint Hilary this same term, up to which day they had leave to imparl &c.) In the *Memoranda* rolls of the Exchequer the same language is encountered. The defendant is told to be in Court "in Octabis Sancte Trinitatis" (in the Octave of Holy Trinity); and his appearance is entered, "Ad hunc diem scilicet ad predictas Octabas Sancte Trinitatis" (At this day, to wit, at the aforesaid Octave of Holy Trinity). Why the mediæval writers persisted in writing "octabis" instead of "octavis" is one of those things that no one can understand.

Quinzaine of a feast.

Next, as to the "quindismes," or quinzaine (*quindena*) of, or fifteen days after, a feast. Here again a precise day is intended. Beside the instance seen below (p. 116), and to which attention is drawn by a note, that the quinzaine of S. Michael is called the feast of Saint Edward (*i.e.*, 13th of October) in one of the *Miscellaneous Rolls* formerly at the Tower, there are (among many others) these:—

"In quindena[3] Sancti Michaelis, videlicet in festo Sancti Edwardi, consecratus est magister Thomas Bek apud Lin-

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[1] *De Banco Roll, Mich.* 20 *Ric.* II. *m.* 346 dorso.
[2] *Exchequer Plea Roll, Hilary* 9 *Chas.* I. (No. 149).
[3] *Annales de Oseneia. Annales Monastici* (ed. Luard), iv. 286.

colniam in episcopum Menevensem" *etc.* (In the quinzaine of Saint Michael, that is to say, in the feast of Saint Edward (13 October) Master Thomas Bek was consecrated at Lincoln bishop of St. David's &c.)

"In quindena Paschæ quæ ipso anno [1268] contigit sexto id. Aprilis in ecclesia cathedrali Sancti Pauli" *etc.* (In the quinzaine (23 April) of Easter, which this year fell on the sixth of the Ides of April (*i.e.* 8 April), in the cathedral church of Saint Paul &c.) This is what the *Annals of Oseney*[1] say, but Wykes[2] specifically names the day:—

"Eodem anno [1268] die Sancti Georgii Ottobonus legatus generale celebravit concilium in ecclesia cathedrali Sancti Pauli," *etc.* (In the same year on Saint George's day (*i.e.* 23 April) Ottobuoni the legate celebrated a general council in the cathedral church of Saint Paul &c.) In these cases it is proved that the quinzaine of Easter is a positive date.

The *Memoranda* rolls abound with entries to the same effect. It is sufficient to extract one such, for any one who chooses can satisfy himself of the truth. The sheriff of Somerset was commanded to warn Edward Ludlowe and Maud (*Matilda*) his wife, "quod essent coram Baronibus hic a die Sancti Michaelis in xv^{cim} dies hoc termino ad ostendendum"[3] *etc.* (that they should be here before the Barons in fifteen days from S. Michael's day this term to show, &c.) Their appearance at the day given is then recorded:—

"Et modo scilicet ad predictam xv^{nam} Sancti Michaelis hoc termino venerunt" *etc.* (And now, to wit, at the aforesaid quinzaine of Saint Michael this term came &c.) Here the "quinzaine of Saint Michael" and "in 15 days from S. Michael's day" are shown to be one and the same thing, that is, the thirteenth day of October. It will be understood, then, that throughout this volume the quinzaine (*quindena*) is made the *fifteenth* day, including the feast-day itself; and further, that in such expressions as "in three

[1] *Annales de Oseneia. Ann. Mon.* (ed. Luard) iv. 215.
[2] *Chronicon Thomæ Wykes. Ann. Mon.* (ed. Luard) iv. 215.
[3] *Exchequer. L.T.R. Memoranda* (342), *Michaelmas* 3-4 *Eliz.* Ro. 132.

weeks, a month, or five weeks," the calculation is (by multiples of seven) 21, 28, or 35 days after (but always including) the feast named.

Exchequer of Edw. I.

It has been estimated with a fair degree of probability, that the value of money in the reign of Edward the First was twenty times that of our present currency. Be the proportion what it may, it is instructive to learn the large sums received at the Exchequer for a certain period, day by day, in preparation for the Scottish campaign of the year 1298 which terminated with the battle of Falkirk, fought on Saint Mary Magdalen's day, the 22nd of July in that year. Here are the receipts for three weeks of Easter-term, commencing on Monday the morrow of the close[1] of Easter :—

BILL OF EASTER TERM, 26 EDW. I.

A.D. 1298.		£	*s.*	*d.*
APRIL 14	Monday.....	902	0	10
15	Tuesday	1,162	14	6
16	Wednesday	2,045	15	6
17	Thursday	2,636	17	5
18	Friday	2,563	18	$6\frac{1}{2}$
19	Saturday	2,633	3	$9\frac{1}{2}$
21	Monday.....	2,594	13	$9\frac{1}{2}$
22	Tuesday	2,534	16	2
23	Wednesday	2,558	18	7
24	Thursday	2,209	3	1
25	Friday	2,204	18	11
26	Saturday	2,201	2	10
27	Sunday	2,049	2	4
28	Monday.....	2,407	9	0
29	Tuesday	2,204	4	2
30	Wednesday	2,128	3	5
MAY 1	Thursday	1,101	3	3
2	Friday	943	16	4
3	Saturday	549	15	7
4	Sunday	481	14	9

[*Exchequer. Treasury of Receipt. Miscellanea* $\frac{2}{2}\frac{2}{6}$.]

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[1] The close of Easter is the Sunday after Easter. In this year (1298) Easter fell on the sixth of April.

A sum of £36[1] was paid to John Abel and Nicholas de Okham for the expenses of themselves, and others with them, conducting the king's treasure, and the rolls of the Exchequer and of the Bench (*i.e.*, Common Pleas), and for carriage of the same treasure and rolls from London to York about the feast of Holy Trinity (the first of June) in 26 Edw. I. The bill of Receipt above quoted (p. xxviii.) is followed by a heading for Trinity-term :—"Billa de recepta apud Ebor' in crastino Sancte Trinitatis;" and the first item for Monday the 2nd of June is, £2,099 18*s.* 1½*d.*

Carriage of Treasure to York.

Again, among "things not generally known" is the amount of Queen Elizabeth's annual revenue. In some years it exceeded £400,000, as shown by the *Pells Receipt Books* for the years hereunder mentioned. Two terms are necessarily included in these half-yearly receipts; but, in order to avoid a complicated mass of figures, the separate amounts for Hilary and Trinity terms respectively are omitted in the following Table, although they are duly entered in the books before me.

Annual Revenue of Queen Elizabeth.

Number.	*A.D.*	Commencing	Half-Yearly Receipt			Annual Revenue		
			£	*s.*	*d.*	£	*s.*	*d.*
60	1593	Mich.[2] 35-36 Eliz....	255,316	16	11¼			
61	1594	Easter 36 Eliz. ...	165,401	1	0¾			
						420,717	18	0
62	1594	Mich. 36-37 Eliz. ...	280,212	12	8¼			
63	1595	Easter 37 Eliz. ...	159,371	18	1½			
						439,584	10	9¾
64	1595	Mich. 37-38 Eliz. ...	232,272	7	10¾			
65	1596	Easter 38 Eliz. ...	145,302	16	10¼			
						377,575	4	9
66	1596	Mich. 38-39 Eliz. ...	239,241	9	0¼			
67	1597	Easter 39 Eliz. ...	131,276	8	11			
						370,517	17	11¼
68	1597	Mich. 39-40 Eliz....	241,483	6	2¼			
69	1598	Easter 40 Eliz. ...	151,936	3	10¾			
						393,419	10	1
70	1598	Mich. 40-41 Eliz. ...	318,729	8	3¼			
71	1599	Easter 41 Eliz. ...	250,764	6	8			
						569,493	14	11¼

[1] *Exchequer of Receipt. Issue Roll* (*Pells*), 26 *Edw.* I. *Easter.*

[2] As already seen (p. xxv.) Elizabeth's regnal year began on the 17th of November, so that Michaelmas-term fell in *two* of her years. For example, Michaelmas-term in 1593 began 9 Oct. 35th year and ended 28 Nov. 36th year.

Neglect of Public Records.

That the Subsidy Rolls for Lancashire should frequent be missing; or, if existing, that they should be injured b neglect rather than by time, is a result which might natural be expected to follow examination. How far back[1] th careless treatment of Public Records generally was fir observable there is no means of ascertaining. At least showed itself towards the end of the reign of Elizabet

Seen by J. Smyth of Nibley before 1618.

seeing that John Smyth of Nibley (1567–1641) alludes t the fact in his *Lives of the Berkeleys*[2] (i. 290); for whic work, although written in 1618, he had been collecting th evidences during many years in which he had been stewar to the Berkeley family. Writing of Thomas lord Berkele (the third of that name), he refers to the inquisition take after the death of his father, Maurice late lord—mentione before (i. 273) in that lord's life as the only one "remainin unperished in the King's Courts, And that also muc maymed"—in these terms:—

> "The injuryes of time and worse keepers of Chancery records of th nature [*i.e.* Inquisitions *post mortem*] have left to my time one on Inquisition in the County of Somerset, which is also half torne ar maymed, found upon the 24th of the same month."

Then Prynne has graphically depicted what he foun when, immediately after he received the Royal Patent fo Custody of the ancient Records in the Tower, he proceede (as he says) to rescue the greatest part of them

As found by Prynne in 1661.

> "from that desolation, corruption, confusion, in which (thorough th Negligence, Nescience, or Sloathfullnesse of their Former Keeper they had for many years by past layen buried together in one confuse Chaos under corroding, putrifying Cobwebs, Dust, Filth, in the darke corner of Cæsar's Chappel in the White Tower, as mere useless Relique not worthy to be calendred, or brought down thence into the Offic amongst other Records of use. In order thereunto, I imployed som Souldiers and Women to remove and cleanse them from their Filth nesse; who soon growing weary of this noysome Work, left them almo as foul, dusty, nasty as they found them. Whereupon immediate after the Parliaments adjournment, I and my Clerk (in August ar

[1] See the mention of "great defect in the roll from which this transcribed" (*temp.* Edw. II.), page 142, note 3.

[2] Edited by Sir J. Maclean, F.S.A. &c. for the Bristol and Glouceste shire Archæological Society, 1883, 2 vols. 4to.

September last) spent many whole dayes in cleansing and sorting them into distinct confused heaps, in order to their future reducement into method, the old Clerks of the Office being unwilling to touch them for fear of fouling their Fingers, spoyling their Cloathes, endangering their Eye-sight and Healths, by their cankerous dust and evil sent.

Their foul state and evil scent.

"In raking up this Dung-heap (according to my expectation) I found many rare antient Precious Pearls and Golden Records, relating to the High Court of Parliament, the Chancery, Kings Bench, Common Pleas, Exchequer. . . . Negociations, Treaties, Leagues with & Letters to France, Spain, Portugal, Germany, Flanders, . . . with many Original Bulls of Popes, (some of them under Seal) Letters to and from Popes, Cardinals, and the Court of Rome, . . . besides other Records of more private concernment; All which will require Briarius his hundred hands, Argus his hundred eyes, and Nestors centuries of years to marshall them into distinct files, and make exact Alphabetical Tables of the several Things, Names, Places comprised in them. . . ."[1]

Prynne was at this time Member of Parliament for "the most antient famous City of Bath," and also Recorder. He publishes Returns of Writs relating to several counties (and says, page 2):—

"least they should be re-interred in their former corroding rubbish, dust and moths, which have totally devoured many of the Original Writs and Retorns of these years [from 25 E. 1. till 13 E. 4.], and so mutilated, eaten out or obfuscated the Letters of sundry others of them, that they are little better than *Vselesse Fragments*, it being almost a miracle that so many of them were preserved intire, in that deplorable pickle wherein I found them, and now rescued from the grave wherein they lay so long interred."

Many writs wholly destroyed.

To pass from Prynne's date to quite recent times, and to the state of that class of Records which is included in the general term "Subsidies." The Rev. Joseph Hunter, in reporting (under date, 25 March, 1841) upon the Documents relating to Scutages, Subsidies, &c., discovered among the *Miscellanea* of the Queen's Remembrancer in the Exchequer, described their condition. From his column of "Remarks" the following extracts are taken:—

Mr. Hunter's "remarks" in 1841.

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[1] Brevia Parliamentaria Rediviva. By William Prynne. London, 1661, 4to. *The Epistle Dedicatory* (p. 2) to Charles the Second, which is dated "Lincolns-Inne, Jan: 24, 1661" [or 1661–2]. B.M. Press-mark, 883. k. 5.

Essex (143)[1]—24 membranes. "Eleven of the membranes rotted, a repaired with tracing paper. . . . The membranes of this Roll ha been found at different times in detached portions."

Dorset (143)—14 membs. "Much mutilated; one end of the R rotted away. . . ."

Wiltshire (144)—33 membs. "Found in an extremely dirty a decayed state."

Warwick (146)—17 membs. "Found in a bad state; a large hole in through several of the folds."

York, East Riding (146)—11 membs. "This Roll was found in a m wretched state, crumpled, faded, dirty and decayed, as if it h been trodden under foot for years."

To return to the Subsidy-rolls remaining for Lancashi Throughout some reigns not a single document is to found, and it frequently happens that those still in existen are much mutilated, or the writing is faint and illegib One main object of the volume yet to be printed is to sta in every case the condition of any roll, or other reco consisting (it may be) of one membrane only. When nam occur, that fact will be duly noted in the margin. A actual page is here set up (xxxiii) for the purpose of showi how it is intended to deal with these subsidies hereaft Although the numbers extend to 363 only (see p. xxx note 1), there are about four hundred examined documen for sometimes a single number covers several distinct fra ments, as seen in the case of 131/168 opposite (p. xxxi), which has thirteen detached portions of subsidies. Assumi that (as here) two documents can be disposed of in a pa and taking the figures (400) before mentioned, we arrive t two hundred pages. Then some space must be allowed r breaks caused by different reigns, and for a short statem t in each case, as to the parliament in which the tax w s granted, the rate of the levy, &c.; so that with great difficu y only can the projected volume be confined to 250 pag s. This plain statement proves how impossible it is to give a y names beyond those of collectors and commissioners; an it is made in order to avoid the creation of false and delus e hopes in the future.

[1] Quoted from the *Second Report of the Deputy Keeper of the Pu lic Records*, appendix ii. at the pages specified.

Hundred of West Derby

(assessed in two Divisions)

131
172

Assessment for the first payment of the Relief due to the King in the third year of his reign, certified 4 May, 3 Edw. VI. (1549) by Sir *William Norres*, knight, and *Laurence Irlande*, esquire, two of the Commissioners within [parcel of] the hundred of West Derbye, who appointed *Richard Bolde*, esquire, chief collector; and he to make payment of the money received in the King's Exchequer before 6 May next (1549).

4 May, 1549.

Sum—£37. 12*s.*

Names

Endorsement of delivery by the within named *William Norres*, knight, 22 May, 3 Edw. VI. (1549).

[*One membrane, indented at the top (written on both sides) and signed by the Commissioners.*]

¶ This portion contains the parishes of Chyldewall, Walton[1], Sefton Alkarre, Northemeles, Hallsall, Aghton and Ormeskyrke.

131[2]
168
(D. 9
D. 12)

[Assessment for the same first payment, certified (as appears from their signatures) by Sir *Thomas Butler*, Sir *Thomas Gerard*, Sir *Peres Legh* and Sir *John Atherton*, knights, being Commissioners for other parcel of the hundred of West Derby.]

[May, 1549.]

Sum—£. . 12*s.* 6½*d.*

Names

[*Two mutilated membranes; the second signed, as above mentioned.*]

¶ This division contains the parishes of Huyton, Prescot (mutilated), Verryngton, Legh, Wygan and Wynwhike.

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[1] *Edmunde Gee* is here named as mayor of Liverpool, and assessed on £40 in goods, beside £43 value in the City of Chester.

[2] This, described in the Official *Slips* as "a parcel of fragments," is detailed below under *Documents undated, or fragmentary.*

A Topographical Index

ascertaining the situation

of the

Parishes, Townships, Hamlets and Villages

contained within the

County Palatine of Lancaster.

*** Parishes are distinguished by the prefix ¶; Seats of Families and Mansions, by a star (*).

Place	*Description*	*Parish*	*Hundred*	*Distance in miles from*	
Abbey Stead	ancient site	Lancaster	Lonsdale	7 S.E.	Lancaster
Abbots in Coulton tnship.	hamlet	Coulton	Lonsdale, N.	7 N.N.E.	Ulverston
Above Town. *See* Hawcoat.					
Abram	township	Wigan	West Derby	4 N.N.E.	Newton in Makerfield
Accrington, New	township	Whalley	Blackburn	5 E.	Blackburn
Accrington, Old	chapelry	Whalley	Blackburn	5½ E.	Blackburn
Addington in Nether Kellet tp.	hamlet	Bolton le Sands	Lonsdale, S.	6 N.E.	Lancaster
Adgarley	township	Urswick	Lonsdale, N.	5 S.S.W.	Ulverston
Adlington	township	Standish	Leyland	4 N.	Wigan
Admarsh Chapel in Bleasdale township	chapel	Lancaster	Amounderness	4 E.N.E.	Garstang
Agecroft in Pendlebury tp.	hamlet	Eccles	Salford	4 N.W.	Manchester
Aigburgh or Aigburth in Garston tp.	hamlet	Childwall	West Derby	4 S.E.	Liverpool
Aighton with Bailey and Chaigley	township	Mitton, Yorkshe	Blackburn	6 W.S.W.	Clitheroe
Ainsdale in Formby chapelry	hamlet	Walton	West Derby	8 W.	Ormskirk
Ainsworth	chapelry	Middleton	Salford	3 W.	Bury
Aintree	township	Sefton	West Derby	6 N.N.E.	Liverpool
Alcocks in Wray township	hamlet	Melling	Lonsdale, S.	10 E.N.E.	Lancaster
Aldcliffe	township	Lancaster	Lonsdale, S.	1 S.W.	Lancaster
¶Aldingham	parish and township		Lonsdale, N.	6 S.	Ulverston
Aldingham, Upper	township	Aldingham	Lonsdale, N.	S.	Ulverston
Aldingham, Lower	township	Aldingham	Lonsdale, N.	S.	Ulverston
*Alkincoates in Colne chapelry	ancient mansion	Whalley	Blackburn	1½ N.W.	Colne
Alkrington	township	Prestwich cum Oldham	Salford	5 N.N.E.	Manchester
Allerton	township	Childwall	West Derby	5 S.E.	Liverpool

It would manifestly be a convenience to have at hand in the volume itself a Topographical Index of all places in Lancashire, with the several parishes and hundreds in which they are situate. Then any searcher wanting to find the names of persons assessed in a particular township, could by ascertaining the hundred from the Index, turn to the "Table of Taxation," and see at a glance all the subsidy-rolls remaining for that hundred. Its length is, I fear, against the idea being carried out. However, I here show the sort of thing (p. xxxiv), adding that the source from which it is compiled is Clarke's *Lancashire Gazetteer*,[1] a work most useful, indeed invaluable, for reference.

For my part, I should very much like to see such an Index made to comprehend the whole of England. Surely in each of its forty counties—"gallant little Wales" must be allowed to have an Index to itself—there might be found one man who would be willing to devote himself to the task of collecting the names of all villages and hamlets in his own county. He might get assistance from others, especially the clergy of the several parishes, so that the topographical details might have the advantage of being revised locally. The whole, when collected, might be thrown into one alphabet; and thus the most insignificant place in England would be recorded, and its situation exactly ascertained. In the meantime the *County Court Index*,[2] printed for Her Majesty's Stationery Office, is useful so far as it goes. It gives the place, county, and distance in miles from the Court in this form :—

Township	County	Court
Forton	Lancaster	Garstang, 4.

Beside this Topographical Index, I have compiled—also for the assistance of the reader—a "Comparative Table of Townships" (pp. xxxvi, xxxvii), in order to show the

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[1] *The New Lancashire Gazetteer*, &c., by Stephen Reynolds Clarke. London, 1830, 8vo.

[2] *Index to the Parishes, Townships, Hamlets, and Places, contained within the Districts of the several County Courts in England and Wales.* Fourth edition. London, 1888, folio. Price 6*s*.

A Comparati

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The places which are named in *Domesday-book* are added ben
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Township and Hundred			$\frac{130}{1}$ & $\frac{130}{2}$	$\frac{130}{6}$	$\frac{237}{67}$
A.D. 1894			1237[2]	1332	1440
Abram	*West Derby*		Adburgham	Adburgham	Adburgheh
Adlington	*Leyland*				Adlyngton
Aighton, Bailey and Chaigley ...	*Blackburn*		Actone	Aghtone	Aghtone
Aintree	*West Derby*		Aintre	Ayntre	Ayntre
Aldcliff	*Lonsdale*			Aldeclife	Aldeclyffe
			Aldeclif D		
Aldingham	*Lonsdale*			Aldyngham	Aldyngham
Allerton	*West Derby*		Alretone	Allertone	Allertone
			Alretune D		
Allithwaite	*Lonsdale*			Alyntwaite	Alynthayt
Alston	*Amounderness*		Alsstone	Alstone	Alstone
Altham	*Blackburn*		Alnetam	Alnetham	Alnetam
Anderton	*Leyland*			Andretone	Andreton
Appleton	*West Derby*			Appletone	Appultone
Arbury	*West Derby*			Erbury	Erbury
Arkholme	*Lonsdale*		Ergham	Erghum	Ergham
Ashton with Lea, Ingol & Cottam ...	*Amounderness*			Asshtone	Asshtone
			Estun D		
Ashton in Makerfield	*West Derby*		Astone	Asshetone	Asshtone
Ashton with Stodday ...	*Lonsdale*		Astone	Esshtone	Esshetone
Ashton under Lyne ...	*Salford*		Astone	Asshetone	Asshetone

[1] The number of the Roll used is in every instance set at the head

[2] As explained below (p. 44), a small portion of one membrane is inj
13 names of places in this hundred.

'able of Townships

Lancaster

Subsidy Rolls

nd in their names as written

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the year 1665[1]

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odern use.

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se in the first column (1237), and further distinguished by the letter ⓑ hem.

131/193	131/250	131/287	132/352	Township
1553	1589	1606	1665	*A.D.* 1894
rgham	Adburham	Abraham	Abram	Abram
ngton	Adlington	Adlington	Adlington	Adlington
one	Aughton, Bayly et Chagly	Aughton	Aughton, Bailey, Chaidgley	Aighton, Bailey and Chaigley
re	Aynetre	Aymtree	Ayntree	Aintree
clyffe	Awclyffe	Olcliffe	Awcliffe	Aldcliffe
ngham	Aldinghame	Aldingham	Aldingham	Aldingham
tone	Allerton	Allerton	Allerton	Allerton
thwyth	Allithwat	Alinchwith	Alethwaite	Allithwaite
one	Ashton	Alston	Alston	Alston
tham	Altham	Alvetham	Altham	Altham
ertone	Anderton	Anderton	Anderton	Anderton
etone	Apleton	Apleton		Appleton
ıry	Erburye	Erbury	Arbury	Arbury
ıam	Erghame	Ergham	Arholme	Arkholme
	Ashton	Ashton	Ashton	Ashton with Lea, Ingol & Cottam
etone	Asheton	Asheton	Ashton in Makerfield	Ashton in Makerfield
etone	Ashton	Eshton	Ashton	Ashton with Stodday
eton	Asheton	Asheton	Ashton	Ashton under Lyne

year.

wanting. The defects occur under "Aumundernes," and sacrifice 12 or

variations in the names written at sundry intervals in these Subsidy Rolls. Manifest blunders in spelling are to be indicated (where they occur) by *italics*. Thus Ay*m*tree for Ayntree ; A*sh*ton for Alston ; E*n*bury for Erbury (now Arbury). Errors of this kind are due to misreading of an earlier manuscript on the part of the transcriber. It is found that the names of some townships (examples of which will be given in due course hereafter) were mis-spelt, frequently in the first, or Capital letter, by writers in the time of Hen. VIII. who evidently read with difficulty the hands of Hen. VI. in rolls from which they were copying at a distance of less than a hundred years. Before printed books became common, there was no general standard of orthography, and consequently each man spelt in his own fashion according to his idea of the sound. The very same process is going on now, with regard to the names of persons and places; as the following case will show. A friend of mine who lives in Argyll-street, Regent-street, has preserved the envelopes of certain letters which have been addressed to him, and duly delivered by post. From these which are now before me I find twelve ways of writing *Argyll*:—

Argyll	Argill	Argel
Argylle	Argle	Argyyll
Argyle	Arrquile	Agyll
Argall	Argyl	Argll

For my own guidance I have compiled yet one more table (alluded to before, p. xxxv), with the object of exhibiting in due chronological order, and at one view, every roll now remaining for the several hundreds of this county ; so that a given township, or parish, can be readily tracked throughout the entire series by following the column headed with the name[1] of the hundred in which it is situate. Many rolls show places only, with sums assessed upon them to FIFTEENTHS and TENTHS. By eliminating all these, there

[1] The small space at command has compelled the abbreviation of the Hundred named to its first two letters. Thus Am. for Amounderness Bl. for Blackburn ; and so on. In the first column (to your left) is the regnal year ; in the second, the year of Our Lord.

results an emended Table, strictly confined to those rolls which contain NAMES of persons charged with money payments: as hereunder follows.

Table[1] of the Rolls

which contain NAMES of Persons charged to Subsidies

in the County of Lancaster

A. R.	*A. D.*		Am.	Bl.	Le.	Lo.	Sa	W.D.
		EDWARD III.						
1	1327	Twentieth of Goods[1] ...	5	5	5	5	5	5
6	1332	Fifteenth and Tenth ...	6	6	6	6	6	6
20	1346	Aid for knighting the king's eldest son ...	16 17	16 17	16 17	16 17	16 17	16 17
		RICHARD II.						
2	1379	Poll-tax	361	28		27		
4	1380	Poll-tax					29	
		HENRY VIII.						
14-15	1523	Subsidy for four years:						
		First year	81	82	80	90	79	96
		Second year ...	85	87	86		83	84
		Third year	94	89	92	237/57	91	88
		Fourth year ...	93	94	93	93	93	93
26	1534	Subsidy pay[ble] in moi[ties]						
		Second moiety...						98
32	1540	Subsidy yearly for 2 yrs.						
		First year[2]	116					
		Second year ...	119		115	117	114	112 113
34	1542	A Loan	121 142	121 142	121 142	121 142	121 142	121 142

[1] In making application for any of the documents in this Table, the number of the Bundle should be written *above* the figures here given. Bundle 130 includes numbers 1 to 169; therefore write 130 above, or thus: 130/5, 130/6, 130/16; and so on, up to and including 169. Bundle 131 includes n[os] 170 to 335; Bundle 132 n[os] 336 to 363 (the end). Consequently you must write 131/170, and the intermediate numbers, up to 131/335; then 132/336, and numbers following, up to 132/363.

[2] For Salford Hundred *see* RECORD SOCIETY, vol. xii. p. 137.

A. R.	*A. D.*		Am.	Bl.	Le.	Lo.	Sa.	W.D.
34-35	1543	Subsidy payble in 3 yrs.						
		First payment ...	124	125	126	122	166	
						123	127	
		Third payment...	130		129	133	118	120
		and Anticipation	131		134	140	138	132
			146		135	237/68	139	136
								168
36	1545	A Benevolence.....	163	143	145	147	166	144
37	1545	Subsidy payble in 2 yrs.						
		First payment ...	154	153	152	155	137	128
		Second payment	159	157	156*a*	162	156	158
				161			160	
38	1546	Contribution by free-will	164			164		
		EDWARD VI.						
2-3	1549	Subsidy called a Relief						
		First payment ...	174	173	170	171	173	168
						192		172
		Second payment	177	178		179	180	175
								176
		Third payment ...	187	185	182	186	191	183
								184
		Fourth payment	181	190	189	192	166	188
								263
		ELIZABETH						
1	1559	Subsidy in two paymts						
		First payment[1] ...						
5	1563	Subsidy in two paymts						
		First payment ...		212				
		Second payment	209	209	210			211
13	1571	Subsidy in two paymts						
		First payment ...		219		221	219	
		Second payment		220				
23	1581	Subsidy in two paymts						
		First payment ...	234	235	234	235	235	234
28	1587	Subsidy in two paymts						
		First payment ...			243		248	247
35	1593	Three Subs. in 4 paymts						
		Second subsidy...						258
39	1597	Three Subs. in 3 paymts						
		First subsidy ...	267	262	264	265	263	
		Second subsidy...	269	271	270	268	266	272
		Third subsidy ...	277	274	275	276	273	
						278		
43	1601	Four Subs.[2] in 7 paymts						
		JAMES I.						
3	1605	Three Subs. in 6 paymts						
		First subsidy, 1st paymt			289[3]		289	289

[1] See *State Papers. Domestic. Elizabeth.* Vol. ix.

[2] For Third Subsidy, first payment, see *Harl. MS.* 2112.

[3] One membrane only. Summary of Accompt. Very few names.

A. R.	*A. D.*		Am.	Bl.	Le.	Lo.	Sa.	W.D.
7	1609 1610	Subsidy in two paym^ts						
		First payment ...	294	296				
		Second payment	295	291	292	293		
10	1612	Aid for marrying the King's eldest dau.	297		297			297
18	1621	Two Subsidies.						
		First subsidy[1] ...						
		Second subs., 2nd paym^t	298		302	299 300	301	
21	1624	Three Subs. in 3 paym^ts						
		Third subsidy ...	310		306	307	309	308
		CHARLES I.						
1	1625	Two Subs. in 2 paym^ts						
		First subsidy ...			311 358			311
		Second subsidy...	316	317	313 319	314	312	315 318
3	1627	Five Subs. in 4 paym^ts						
		First and Second	321	322	323[2]			324
		Third subsidy ...	326	325				
		Fourth subsidy...		330		327	329	328 332
		Fifth subsidy.....		331				320
16	1640	Four Subs. in 2 paym^ts						
		First and Second	333		335		334	
		Third and Fourth	336 338		340*a*	337	339	340
	n. d.	Loan	344 346			342 343 345		
		CHARLES II.						
12	1660	Poll-money[3]		3/5				
13	1661	Free present[3] to the King	2/23	2/23	2/23	2/23	2/23	2/23
15	1663	Relief of the Army in Ireland	347	347	347	347	347	347
15	1663	Four Subs. in 2 paym^ts						
		First and Second				349		
		Third and Fourth		350		348		
					351			
17	1665	Hearth-tax	352	352	352	352	352	352
24	1672	Hearth-tax		360	360			356
25-26	1673	Hearth-tax	355	355	355	355	355	355

[1] For Salford Hundred *see* RECORD SOCIETY, vol. xii. p. 147.

[2] See RECORD SOCIETY, vol. xii. page 164 *et seq.*

[3] See this Introduction, pp. xlv, xlviii ; where extracts are printed.

Out of the foregoing list, certain rolls which seem for various reasons desirable to print,[1] are commended to the notice of the COUNCIL. The first place might be given to the second of two entire Subsidies granted in the Parliament[2] which began its session 18 June 1 Chas. I. (1625). Of the first subsidy nothing remains for Lancashire, except a return (131/311) for the Hundreds of Leyland and West Derby, furnished by James Rivington, sub-collector of the same, who came before the barons of the Exchequer 11 Feb. 1625-6, and took his corporal oath, that certain persons—one in Leyland, and eight others, beside thirteen recusants charged 8*d.* by the poll, in West Derby hundred—had no goods or chattels whereon he could levy the sums taxed to the king's use, "although he have done his best endeavour to have levyed "the same."

Of the second Subsidy there is an entire set of rolls for the six hundreds of this county, and in the condition particularly described in the table printed below. The two subsidies were to be taxed at the same rate, viz. on goods from the value of £3 upwards, 2*s.* 8*d.* in the Pound; on lands from 20*s.* yearly value, 4*s.* in the Pound. Aliens and Recusants to pay double rates; or 5*s.* 4*d.* on goods, and 8*s.* on lands. Aliens and Recusants, not contributory to the tax, to pay 8-pence by the poll. This second subsidy, as laid down by the Act, was to be assessed before 31 March 1626, and the particular sums to be certified before the 20th of April following.

SECOND SUBSIDY granted 1 Chas. I.

No.	*A.D.* 1626	Hundred	Membs.	Comments
316	May 1	Amounderness	10	Beautifully written, and symmetrically arranged.

[1] In vol. xii. pp. 133–189 (*Miscellanies*, vol. i.), of this SOCIETY'S publications there are printed three Subsidy Rolls; two (dated 1541 and 1622) for Salford Hundred; and one (dated 1628) for Leyland Hundred with a Recusant Roll, attached and of the same date.

[2] Statute 1 Car. I. c. 9. See *Statutes of the Realm*, v. 9.

No.	*A.D.* 1626	Hundred	Membs.	Comments
317	May ..	Blackburn	11	Upper part much discoloured, and next membrane somewhat pale ; the remainder in excellent condition.
313	May 11	Leyland...	4	In good condition throughout.
319	Apr. 23	Recusants ...	7	In good condition.
314	Apr. 29	Lonsdale	11	In excellent condition.
312	Apr. 20	Salford	6	In very good state.
315	May 12	West Derby ...	9	Remarkably clean and perfect.
318	Apr. 25	Recusants ...	24	"A remarkably fine roll."

Some of the rolls, it should be observed, keep the word of promise to the ear, and break it to the hope. For instance, from the Table (p. xxxix) it is seen that a complete set of rolls exists for each of the *third* and *fourth* payments of the Subsidy, granted 14-15 Hen. VIII. ; but, as the assessment for the former of these is on £50 and upwards in lands, there are very few persons named in any hundred, while by the latter on £50 and upwards in goods, there are two hundreds—Amounderness and Blackburn—in which there is no person inhabiting "whyche ys of the said valor in goodes "of l *li.* or above."

The earliest return (130/5) for this county with names of persons assessed is that of a TWENTIETH, granted in 1 Edward III. It is contained in a roll of 16 membranes, written (except one) on both sides. Part of Derbyshire (now West Derby) hundred is much injured, particularly one membrane (2nd) comprising ten parishes, out of which eight names only of persons are legible. Lonsdale hundred also has three or four parishes defective. The other four hundreds are in a good state. Total amount, £162 11*s.* 0¼*d.* ; of which £7 6*s.* received from the boroughs, viz. Wygan, 36*s.* ; Lyverpulle, 30*s.* ; Preston, 40*s.* ; and Lancaster, 40*s.* : thus leaving for the rest of the county, £155 5*s.* 0¼*d.* Having regard to the somewhat defective state of this roll, it would be well perhaps to pass it over, and go to the next (130/6), Twentieth 1 Edw. III.

Fifteenth and Tenth 6 Edw. III.

giving a FIFTEENTH in the county, and a TENTH in the boroughs, granted 6 Edw. III. This is a roll of 19 membranes, written on both sides, and in a fine state of preservation; but on the first membrane a portion is illegible, affecting six names under Wygan and three names under Liverpool. The FIFTEENTH produced the sum of £287 13*s.* 8*d.*, and the TENTH, £11 3*s.* 8*d.*; the total amount being £298 17*s.* 4*d.* On the dorse there is a memorandum, that the rolls were received 14 July 7 Edw. III. (1333) by the hands of Robert de Shirburne and John de Radeclyve, taxors and collectors of the 15th and 10th in the county of Lancaster. The taxation of the goods of the collectors was made by the barons of the Exchequer on the previous day (13 July), and the goods of each were assessed to the tax at 20*s.*, or 40*s.* for the two. Herein is a standard by which to estimate the relative value of the other assessments. Next to seeing the roll itself, the following extracts give the best idea of the nature of its contents, keeping here and now the contracted forms of the original.

FIFTEENTH and TENTH, granted 6 Edw. III.

CROSSEBY MAGNA

D'[1]Ričo Fillesone	...	...	iiij. s̃.	
D' Roƀto le White	...	...	iij. s̃.	
D' Alañ fit Roĝi	...	...	iij. s̃.	
D' Wiłło fit Roĝi	...	...	iiij. s̃.	
D' Joħe Saumoñ	...	...	iij. s̃.	
D' Roĝ fit Ade ...	...	...	iij. s̃.	
Sm[a]. xx. s̃.				

KNOUSELEGH'

D' Ričo de Rome	...	...	iij. s̃.	iiij. đ.
D' Roƀto de Wirhale	...	..	ij. s̃.	
D' Adam le Sire...	...	...	iij. s̃.	
D' Wiłło de Wyndhułł ...		...	xvj. đ.	
D' Ričo Fabro ...	...	...	xvj. đ.	
D' Adam de Moselegħ ...		...	xvj. đ.	
D' Joħe del Ryddegate...		...	iij. s̃.	
D' Ričo de Moselegħ ...		...	ij. s̃.	viij. đ.
D' Ričo de Stokelegħ ...		...	ij. s̃.	viij. đ.

[1] Contraction for *De* meaning "of," or "from."

D' Ričo fit Pymne	...	...	ij. s.
D' Ričo de Snellestoñ	...	...	iij. s. viij. d.
D' Joħe de Stokkelegħ	...	...	iij. s.
D' Joħe Fox	...	...	ij. s.
D' Ričo le Riche	...	...	iiij. s. iiij. d.
D' Roƀto Pye	...	...	iiij. s. iiij. d.

Sm[a]. xl. s.

[*Exch. Lay Subsidies* (Lancashire) 130/6]

The return which in point of fulness, and representation of the entire county, exceeds any other, is one that belongs to the year 1661, and is entitled (by an endorsement) "The "free present money." This is a roll of eighty-eight large membranes, generally in very good condition, though in parts dirty and discoloured. The king's commission (crumpled and dirty) thereto attached is tested at Westminster 8 August 13 Chas. II. (1661), and directed to Francis lord Seymour, chancellor of the Duchy of Lancaster, Sir George Middleton, Sir Richard Houghton, and many others. After recital of the Act[1] entitled "an Act for a free and voluntary "Present to his Majesty," they are commanded to appoint places to which persons may resort, in order "to make such "offers or present to us as their own hearts shall prompt;" Provided that no person, not being a peer, shall exceed the sum of two hundred Pounds, with other details which it is not necessary to specify here more exactly. Hereunder follows an extract which serves to show the character of the entries.

[Endorsed] THE FREE PRESENT MONEY

A true and perfect accompt of all such sommes of Money as are paid or subscribed to bee paid towards the supply of his Ma[ties] pressing occasions Received by vertue of a Comission to us whose names[2] are subscribed and others directed under the great Seale of England in pursuance of an Acte of Parliament Intituled an Acte for a free and voluntary present to his Ma[tie] according to the severall Dayes and times they were paid and subscribed or taken before us

[1] Statute 13 Car. II. c. 4. See *Statutes of the Realm*, v. 307.

[2] These are: Thomas Norres, Cuthbert Ogle, Henry Corles.

Comissioners for parte of the Hundred of West Derby as followeth Anno R.R. Domini nostri Caroli secundi Dei gratia Angliæ &c. Decimo tertio Anno Domini 1661.

[*m.* 3] Decemb : 11^mo^ 1661

LIVERPOOLE	£	*s.*	*d.*
Henry Corles Maior of Liverpoole...	00	10	00
Thomas Blackmore Alderman tenne shillings	00	10	00
Thomas Williamson Alderman tenne shillings	00	10	00
Raph Massam Alderman tenne shillings... ...	00	10	00
Edward Williamson Alderman tenne shillings	00	10	00
Thomas Andoe Alderman tenne shillings ...	00	10	00
Gilbert Formby Alderman tenne shillings ...	00	10	00
Rich : Peircivall Alderman tenne shillings ...	00	10	00
Alexander Greene Alderman tenne shillings ...	00	10	00
M^r^ John Chandler tenne shillings	00	10	00
M^r^ Fogg Minister ten shillings...	00	10	00
M^r^ —— Strangewayes two shillings sixe pence	00	02	06
M^rs^ Walker five shillings	00	05	00
M^rs^ Byrd vid. five shillings	00	05	00
M^r^ John Sturzaker three shillings	00	03	00
M^rs^ Williamson vid. two shillings sixe pence...	00	02	06
M^r^ William Bushel seaven shillings	00	07	00
M^r^ John Lurting two shillings	00	02	00
M^r^ Edmond Lewesley one shilling sixe pence	00	01	06

* * * * *

How general the contribution was may be seen by the additions (or callings) of persons who subscribed in Tyldesley with Shackerley the sums set against their names :—

Subscriptions taken at Leigh 26^th^ Octob^r^ 1661.

TILDSLY cum Shakerley			
Jennett Marsh vid. One shilling sixpence	0 :	1 :	6
Alice Smyth widow One shillinge	0 :	1 :	0
John Parre husbandman One shillinge	0 :	1 :	0
Thomas Gellibrand husb' Two shillings	0 :	2 :	0
Henry Younge husband' sixpence	0 :	0 :	6
Will'm Partington yeoman One shilling sixpence	0 :	1 :	6
John Hurst laborer sixpence...	0 :	0 :	6
Hughe Mokant webster sixpence	0 :	0 :	6
Richard Wallwork webster sixpence	0 :	0 :	6
Will'm Oliverson husbañ sixpence	0 :	0 :	6

Hughe Parr chapman One shillinge	0 :	1 :	0
Edmund Cowper yeoman sixpence	0 :	0 :	6
Issabell Maw widow One shillinge	0 :	1 :	0
Alice Smyth widow sixpence	0 :	0 :	6
Richard Lithgoe webster sixpence	0 :	0 :	6
Will'm Mather webster sixpence	0 :	0 :	6
John Pendlebury webster sixpence	0 :	0 :	6
Margery Mather widow sixpence...	0 :	0 :	6
John Marsh husb' One shilling	0 :	1 :	0
Richard Meanley webster One shillinge	0 :	1 :	0
John Woarke husb' sixpence...	0 :	0 :	6
Will'm Hoape shoemaker sixpence	0 :	0 :	6
Richard Astley yeoman Three shillings	0 :	3 :	0
Thomas Mather bricklayer One shilling	0 :	1 :	0
John Parr Juni[r] webster One shilling	0 :	1 :	0
Thomas Battersby naylor One shilling	0 :	1 :	0
Charles Damport yeom'...	0 :	1 :	0
Will'm Vernon of Shakerly gentl' Tenne shillings	0 :	10 :	0
Totall	01 :	14 :	06

	l.	*s.*	*d.*
The totall of this Roll is	40 :	18 :	6

The sums of money thus given are entered in this order for the several hundreds :—

	£	*s.*	*d.*
Salford Hundred	399	19	11
Lonsdall Hundred	456	14	4
Amoundernes Hundred	167	19	8
Leyland Hundred...	94	2	6
Blackeborne Hundred	381	1	8
Darby Hundred	262	15	3

[Signed] George Middleton vic' com'
Tho. Grenehalgh
Nich. Penington
Seth Blackhurst
Nich. Mosley
John Birom
Alixander Norres

[*Land Revenue* (1872 Removal), $\frac{2}{2\,3}$.]
d

In the previous year (1660) under an Act,[1] entitled "An "Act for the speedy provision of money for disbanding and "paying off the forces of this Kingdome both by Land and "Sea," a scale of contributions was ordered to be made by all persons, according to the ranks and degrees therein specifically mentioned, from a duke downwards. Every person with an estate in lands, leases, or otherwise, of £100 yearly value, to pay 40*s.*; and so, proportionably at that rate, but not to be charged under £5 yearly. The return thereupon made for Blackburn Hundred is contained in a large roll of 95 membranes, written on both sides: and, as the charge upon every person, being single and above 16 years of age was 12-pence, and sixpence upon every other person of what estate or degree soever, not named in the Act, not receiving alms, and above 16, there is a long list of names in each parish. The following extract is made from the uppermost, or first membrane of the roll:—

September the 24th 1660

ACKRINGTON VETUS in the hundred of Blackburne and County of Lancr.

John Kenion Grave
Edward Croston } Assistants & Collects
Henry Worsley }

THE said Grave and Assistants accordinge to the Charge given at Padiham the 9th Day of September instant of Divers of the Commrs mentioned in an Act of Parliament made in the 12th yeare of the Raigne of Charles the Second Kinge of England &c: Entituled an Act for the speedy provision of money for disbandinge and payinge off of the forces of this Kingdome both by Land and Sea doe Certifye touchinge all the persons in the said Towne Chargeable by the said Act as followeth—

		Estates per annum					
		l.	*s.*	*d.*	*l.*	*s.*	*d.*
William	Kenion	10	0	0	0	4	0
	Ann his wife	...		...	0	0	6
John.	Kenion	15	0	0	0	6	0
	Isabel his wife	...		...	0	0	6

[1] Statute 12 Car. II. cap. 9. See *Statutes of the Realm*, v. 207.

		Estates per annum					
		l.	*s.*	*d.*	*l.*	*s.*	*d.*
Edward	Croston Gent	25	0	0	0	10	0
	Elizabeth his wife				0	0	6
	Richard Aytough his servant				0	1	0
John	Taylor	8	0	0	0	3	2
	Dorrothy his wife				0	0	6
Widdow	Cunliffe	8	0	0	0	3	2
	Nicholas her Sonne				0	1	0
	Elizabeth her Servant				0	1	0
	Richard Kenion her Servant				0	1	0
	and another man Servant				0	1	0
Gyles	Whitakar	5	0	0	0	2	0
	Isabel his Servant				0	1	0
Henry	Worsley	5	0	0	0	2	0
	Elizabeth his wife				0	0	6
and	Grace a singlewoman in his house ...				0	1	0
George	Hargreves Clothier				0	0	6
	Lettice his wife				0	0	6
	James Rothwell				0	1	0
	George Walmsley				0	1	0
	Thomas Walmsley				0	1	0
and	Ellen Fish his Servants				0	1	0
Nathaniel	Aytough				0	0	6
	Elizabeth his wife				0	0	6
James	Hargreves Clothier				0	0	6
	Alice his wife				0	0	6
	Roger Riley...				0	1	0
	Henry Grimshaw his Servants				0	1	0
	James Worsley a single man in his house				0	1	0
Robert	Banister				0	0	6
	Mary his wife				0	0	6
	* * * * *						
	* * * * * *						
	* * * * *						
Robert	Worthington Milner				0	0	6
	Katherin his wife				0	0	6
and	Isabel his mother in Law				0	1	0
James	Browne...	5	0	0	0	2	0
	Jennet his wife				0	0	6

	l.	*s.*	*d.*
Edwarde Milner	0	0	6
Marie his wife	0	0	6

[This goes to the bottom of the skin, and on the dorse, as follows]

	£.	*s.*	*d.*
The totall sum Charged vpon the Inhabitants of Accrington vetus is Three poundes thirteene shillings and Foure pence ...	3	13	04

The general summary (not keeping strictly to the form or spelling of the original) is to this effect :—

BLACKBURN HUNDRED

	£.	*s.*	*d.*
Poll-Money rolls, amounting in the total to the sum of	946	13	2
Deducted for Collectors and Commissioners' clerks, according to the Act of Parliament, two-pence per £1 sterling	7	17	8
Residue paid to George Chetham [here Cheetum] esq., sheriff of the county, "on "and before the Nynteenth day of No- "vember, 1660," by us	938	15	6

[Signed] Ric: Shuttleworthe
Ric. Townleye
John Starkie
Tho: Braddyll
John Cunliffe
Ric. Waddington
} Com^rs

Delivered by the hands of John Taylor of St. Lawrence, Lancashire, at the sign called the White horse 22 Dec. (1660) 13 Chas. II.

[*Land Revenue* (1872 Removal), $\frac{3}{5}$.]

Here then is matter sufficient for several volumes, if there were any reason to suppose that the members of this SOCIETY would care to have in print such details as are above indicated. In the meantime, every one with the aid

of the foregoing Table (p. xxxix) may see—as before remarked—what rolls to search, with a reasonable probability of finding the name of a family, known (or believed) to have lived in a given place in any hundred at a particular date, so far, of course, as any documents remain for that period, or, if in existence, are now legible.

Genesis of this volume.

It is difficult to recall the stages, by which this volume has attained to its present dimensions. In the first instance, when the examination of the entire set of documents was completed, a casual remark, made by the late Mr. Walford D. Selby of the Public Record Office, upon the excessive dryness of a mere table—for such and little else it will be, see page xxxiii—of Subsidy-rolls, led me to consider the possibility of attempting a general survey of the taxation of this country from the granting of MAGNA CHARTA by king John down to the end of the reign of Edward the First ; by which time not only had parliaments been developed, but the principle had been firmly laid down, that no tax should be imposed upon the nation at large, without the assent of the lords spiritual and temporal, and of the knights, citizens and burgesses assembled in parliament. With a simplicity, which I now acknowledge to have been fatuous, I gradually accustomed myself to the idea ; and more easily, because it happened that I was then engaged upon a work,[1] requiring exhaustive search to be made of all records belonging to the 26th year of Edward the First. By this means, in addition to the special objects of inquiry, there were brought to view details of taxation which would otherwise have escaped notice ; and hence the inference was naturally drawn that the like records of other years might be equally productive. Here at once was opened a wide field of investigation. Search of the Pipe Rolls followed with the results to be seen at pp. 180, 187, 197, &c. Moreover there was always before me Blackstone's master-piece, in which that eminent lawyer with admirable lucidity of

[1] SCOTLAND IN 1298. *Documents relating to the campaign . . . in that year, and especially to the Battle of Falkirk.* Edited by Henry Gough. Paisley and London, 1888, 4to.

method, and with an absolute wealth of references, had traced the Great Charter from its original grant at Runimede down to its lasting settlement.

In such manner as this the thing grew, and its growth was stimulated by the task entrusted to me of searching, year by year, all the Chancery rolls, with certain other records, appertaining to the twenty-one concluding years of the reign of Edward the First, in order to prove that king's itinerary.[1] And all this time—for the years were running on—my ordinary professional engagements caused me to be employed at frequent intervals in searches connected with the previous reign, when the official calendars of Patent and Close Rolls of Henry III. were constantly in use. As dealing with this period also, there was the history of Matthew Paris, supplemented by other chroniclers, as well as by the monastic annalists ; all whose works have been printed in the series of "*Chronicles and Memorials of Great Britain and Ireland.*" It may be open to question, however, whether events, but remotely connected with the title of this work, have not been sometimes detailed at too great length, notwithstanding that they invariably led up to, or proceeded from taxation. Yet, when I look at the mass of notes and extracts which steadily accumulated, and of which portions only were, or could be, actually used, I am ready to apply the words of a sometime Governor-General of India, and to avow that I am "amazed at my moderation."

Two considerable digressions were caused by the alleged grants of (1) a *thirtieth*, and (2) a *fifteenth ;* both upon authority which at first sight appeared to be unimpeachable. For the first of these (p. 55), Carte[2] unreservedly states that Matthew Paris was "grossly mistaken" in his narrative of certain transactions in parliament, and quotes the *Patent Roll* of the year 1242 (26 Hen. III.) to prove that "this very
Thirtieth "parliament made the king a grant of the *thirtieth* of all "moveables throughout the realm." For the second (p. 78)

[1] *Itinerary of King Edward the First from . . . 1286 to . . . 1307* &c. Edited by Henry Gough. [In the Press, and nearly ready for issue.]

[2] *A General History of England* (ii. 74) by Thomas Carte, an Englishman. London, 4 vols. 1747-1755, folio.

the editors of *Statutes of the Realm* are responsible, having printed (vol. i. 28–31) the text of a Charter of Liberties (supposed to have been) granted on the eleventh of February 37 Hen. III. (1251–2); in return for which grant the archbishops, bishops, earls, barons and others gave to the king a fifteenth part of their moveable goods. Fifteenth

The section (217–224) assigned to the Statute *de Tallagio*[1] *non concedendo* (concerning the not granting of tallage) may perhaps be considered to lie outside the scope of "Lay Subsidies." I have nevertheless inserted it, because the question whether this is or is not a statute, has been left in a very unsatisfactory state of doubt. Mr. Dowell,[2] on whom was laid the necessity of ascertaining the last word that had been said on the point, has this (vol. i. p. 57):— Statute *de Tallagio*.

"Tallage now [in 1332] fell into disuse. The articles usually known as the 'Statute de Tallagio non concedendo' were, for a long time, considered to have suppressed this form of levy [*i.e.* tallage], but are now held to be an abstract, imperfect and unauthoritative, of the Regent's act of confirmation of the pardon of Humfrey de Bohun and Roger Bygod, the earls of Hereford and Gloucester."

Dr. Stubbs (now bishop of Oxford) is inclined—if I understand him rightly[3]—to regard as an Act the articles in Latin beginning *Nullum tallagium* &c. (see p. 219), whereas they can be proved to have been neither more nor less than clauses, intended by the earls and their party to have been added at the end of the Great Charter of 9 Hen. III. They were sent with this end in view to Edward (who was then at Ghent) for his confirmation, but, as the result shows, were evidently rejected; and the *French* form, known now as *Confirmatio Cartarum* (p. 207), was employed in their stead.

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[1] Here "tallage" is used in a general sense for *tax* (see p. 114). Tallage, properly so called, was a levy imposed by the king at will upon his own demesnes, and upon cities and boroughs of the realm (see p. 106).

[2] *A History of Taxation and Taxes in England from the earliest times*, &c., by Stephen Dowell. Second edition (4 vols.), London, 1888, 8vo.

[3] *The Constitutional History of England* (vol. ii. p. 155) by William Stubbs, D.D. Oxford, 1888, 8vo. I recognize here the source of Mr. Dowell's information above-quoted.

However, I need not inflict the story upon the reader a second time. It comforts me to know that there is no need for him to read it even in its place (217–224).

Comparative Table of Receipts.

After stating the amount received from each tax in LANCASHIRE, it occurred to me that it would be well to compile (what I have called) a "Comparative Table of Receipts," showing the sums raised at the same time in other counties; and for this purpose it seemed convenient to adopt the boundary line common to early records, and to form the counties into two groups, North and South, respectively, of the river Trent. And, as in every instance a plain reference is given, it is obvious that a county which does not appear in this table can be readily found, and its separate receipt ascertained without delay or difficulty.

Carucage

It is probable enough that the belief which I have dared to express (p. 132) as to carucage having been—at least in the reign of Henry the Third—a tax laid upon the *plough*, will be derided as inherently absurd, and so forth. Perhaps my omniscient critic will at the same time explain in what other sense is to be understood the testimony of Ralph Coggeshall who says, of a carucage levied in (1200) the beginning of John's reign :—

> There[1] went forth an edict by the king's justices throughout the whole of England, that every plough actually working (*quælibet caruca arans*) should pay three shillings. No wonder that this grievous exaction very sorely weakened the people of the land, when it had been shortly preceded by a burdensome levy of scutage; for two marks [26s. 8*d.*] were paid, whereas never before had been required more than twenty shillings on a knight's fee.

It has always been a wonder to me that writers should be so sensitive about reviews of their works. When they reflect upon the persons who may sit in judgment upon them, they ought to take courage. Why even I—if I dare imitate a

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[1] *Exiit ergo edictum a justitiaris regis per universam Angliam, ut quælibet caruca arans tres persolveret solidos : quæ nimirum gravis exactio valde populum terræ extenuavit, cum antea gravis exactio scutagii præcessisset. Nam ad scutum duæ marcæ persolvebantur, cum nunquam amplius quam viginti solidi ad scutum exigerentur.* [*Radulphi de Coggeshale Chronicon Anglicanum* (ed. Stevenson), London, 1875, 8vo. ; pp. 101, 102.]

well-known pressman I may say, *moi qui vous parle*—have been a reviewer, and I remember on one occasion to have received instructions from my editor to notice a particular work. This I proceeded to do upon its merits, or rather demerits. Thereupon the author wrote to the editor:—"Really your review of my book transcends the bounds of "legitimate criticism"; and, after proceeding in that strain, he wound up by saying:—"But there, I suppose I must "forgive you because, being Ascot week, you probably "wanted to produce a *racey* article."

It would be, indeed, ungrateful of me to conclude what I have had to say here, without adding in brief a warm and most hearty acknowledgment of the help afforded by Messrs. Wymans' representative, Mr. Leonard, whose acquaintance I made when engaged upon vol. iii of this SOCIETY'S publications. Under severe trials which I have given him of fussiness and peculiarity, now in type, now in punctuation, now in arrangement, his unruffled serenity and unvarying good temper have been absolutely beyond praise. Through him that, which otherwise has been a most laborious and burdensome task—self-imposed, no doubt to a great extent, as I have already admitted (p. li)—in very deed, the plague and worry of my existence for many years, has been materially lightened, and rendered possible of endurance. Finally, all language fails to express a tithe of my thankfulness at being able to write the last words to this Introduction.

J. A. C. V.

61, LINCOLN'S INN FIELDS,

15 *May* 1894.

Index of Names

*** The italic letter *n* after the page signifies *note*; thus xx*n* = page xx *note*.

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CORRECTIONS

Page 52, line 12 from bottom,	for *Torond*,	read *Toroud*.
95, line 4 from bottom,	for *sacramentam*,	read *sacramentum*.
117, line 21	for *satisfaciant*,	read *satisfaciat*.
125, line 2	for *Dancastr'*,	read *Lancastr'*.
126, line 15 from bottom,	for 30 *Edw. III.*	read 20 *Edw. III.*
128, line 4	for *efficat*,	read *efficax*.
137, line 14 from bottom,	for *Minnyel*,	read *Mimmes*.
137, line 15 from bottom,	for *Billeg'*,	read *Bisseg'*.
183, line 16 from bottom,	for *effaciter*,	read *efficaciter*.
216, line 5 from bottom,	for *Hereford*,	read *Hertford*.
236, line 11	for *de*,	read *aie*.
254, line 8 of notes,	for *ejse*,	read *esse*.
255, line 11 of notes,	after *to have*,	insert *been*.

Lancashire
Lay Subsidies

Henry the Third

(28 October 1216–16 November 1272)

A Fifteenth[1] of Moveable Goods

(*)

In a Great Council holden 6 Nov. 1217 at Saint Paul's, London, the archbishops, bishops, abbots, priors, earls, barons, free tenants and all others (*libere tenentes et omnes de regno*) granted to the King a FIFTEENTH of their moveable goods, in return for the Confirmation of the liberties granted in the Great Charter and the Charter of the Forest.

A° 2° Hen. III. 6 Nov. 1217.

MAGNA CHARTA extorted from king *John* was inwardly regarded by that monarch as a temporary measure, the obligations of which he never intended to fulfil; and he in a short time procured the issue of a papal bull (24 Aug. 1215), which vacated the whole document and prohibited its observance by either party. This act led to open war; and the king having by means of foreign troops obtained great advantages over the barons, these called to their aid *Louis* the dauphin of *France*, who landed in England on the 21st of May 1216. While the country was rent with these quarrels, *John* died (not without suspicion of poison) 19 Oct. 1216 at Newark; and his body was carried to Worcester and buried[2] within the

[1] No documents found for LANCASHIRE.

[2] The altar-tomb, now in the middle of the choir, is of a date long subsequent to his decease, and supposed to have been made at the time that the chantry-chapel and tomb of Prince *Arthur* (who died 2 April

cathedral at its eastern end. This done, the few notable persons who rallied round the young king, at the head of whom were *Guala*[1] the pope's legate and *William Mareschal* earl of *Pembroke*, assisted at his coronation,[2] which took place at Gloucester on the feast-day of SS. *Simon* and *Jude* the 28th of October; from which date the reign of *Henry* the Third began. The first thought was to obtain a renewal of the liberties granted by the late king. Within as short a time as possible a Council was summoned by *Guala*[3] the legate, or (as *Blackstone*[4] says) by the earl of *Pembroke*, to meet at Bristol on the feast of Saint *Martin* following (11 Nov. 1216). A minute and interesting account of these proceedings is furnished by a letter (not dated), written as from the young king himself to his justiciar of *Ireland*.[5] After relating the death and burial of his father and his own

---

1502), eldest son of *Henry* VII., were erected. The slab with effigy is alone original, and must have been removed with the body from the former place of interment. [*See* Stothard's *Monumental Effigies of Great Britain*, Plate vi.] The date of this part can be assigned with certainty to the year 1232, from a passage in the *Annals of Tewkesbury* (*Ann. Mon.* ed. Luard, i. 84) to this effect:—The body of king *John* was put into a new sarcophagus (*Johannes rex Anglie ponitur in novo sarcofago die Sancti Dunstani*) on Saint *Dunstan*'s day (19 May) in the presence of king *Henry* his son, *Alianor* his daughter (then widow of *William Mareschal* the younger earl of *Pembroke*), *Hubert* de *Burgh* and many others; among whom was *Robert* (late prior) abbot-elect of *Tewkesbury*, who was presented by *Henry* at Worcester to the bishop on the following day (20 May) being Ascension-day [*Monasticon* (new ed.), ii. 81]. The itinerary of the king, proved by the Chancery rolls of 16 *Hen.* III., confirms the statement that he was on those very days in that year (1232) at Worcester.

[1] Guala Bicchieri. See a note by Dr. Luard (*Matt. Paris. Chronica Majora*, vii. Preface, xxi.), that "to the money obtained [by him] in England the great church of St. Andrea, Vercelli, is due. To this day the street by that church is called 'Strada Guala Bicchieri.'" See also *Cartularium Monasterii de Rameseia* (Chronicles and Memorials &c.), ii. 333, note 2.

[2] He was crowned a second time on the day of Pentecost (17 May) 1220 in the presence of *Pandulf* the legate. *Stephen* archbishop of *Canterbury*, surrounded by his suffragans and other prelates with very many magnates in S. *Peter*'s church, Westminster, having received the oath of *Henry* to guard the church, and to keep the peace and good laws of the kingdom, crowned him *diademate sanctissimi regis Edwardi*, the young king (born 1 Oct. 1207, p. 35) being then in his 13th year (*tertio decimo non tunc ex toto completo*). [*Walter of Coventry* (ed. Stubbs), ii. 244.]

[3] "*nec multo post Gualo legatus concilium celebravit apud Bristoll' in festivitate Sancti Martini in quo*," etc. [*Annal. Waverl. A.D.* 1216.]

[4] *The Great Charter* &c. (1759) Introduction, xxvii.

[5] *Close Roll*, 1 *Hen.* III. *m.* 25 dorso; printed in Rymer's *Fœdera*, i. 145.

coronation, and expressing a firm resolve on his part to extirpate all evil customs, and by renewal of liberties and free customs to recreate the happy days of his progenitors (*dies nobilium patrum nostrorum reformare graciosos*), bestowing on every one that which he can in reason demand, the king proceeds :—

"*Ad hoc sciatis quod celebrato nuper concilio apud Bristoll' ubi convenerunt universi Anglie prelati tam episcopi abbates quam priores et multi tam comites quam barones qui eciam universaliter fidelitatem nobis puplice facientes concessis eis libertatibus et liberis consuetudinibus ab eis prius postulatis et ipsis approbatis prompti et proni ad mandatum nostrum in partes suas cum gaudio sunt reversi Speramus quidem* etc. *Retinuimus adhuc nobiscum Radulphum de Norwic' ut de hiis et aliis per ipsum voluntatem nostram plenius vobis significemus Volentes ut eisdem vos et ceteri fideles nostri Hibernie*[1] *gaudeatis libertatibus quas fidelibus nostris de regno Anglie concessimus et illas vobis concedemus et confirmabimus Teste etc.*"

In order to show the connection between the Charter of *John* and that of 9 *Hen.* III. which was finally incorporated in the Statute-book, one must begin with the Articles first agreed upon, and then embodied in the form of a charter; but extracting only such clauses as relate to taxation.

Articles	Magna Charta
[Clause 32] "*Ne*[2] *scutagium vel auxilium ponatur in regno nisi per commune consilium regni nisi ad corpus regis redimendum et primogenitum filium suum militem faciendum et filiam suam primogenitam semel maritandam et ad hoc fiat rationabile auxilium Sintili modo fiat de taillagiis et auxiliis de civitate London' et de aliis civitatibus que inde habent libertates et ut civitas London' plene habeat antiquas libertates et liberas consuetudines suas tam per aquas quam per terras.*"	[12] "*Nullum*[2] *scutagium vel auxilium ponatur in Regno nostro nisi per commune consilium Regni nostri nisi ad corpus nostrum redimendum et primogenitum filium nostrum militem faciendum et ad filiam nostram primogenitam semel maritandam et ad hec non fiat nisi racionabile auxilium Simili modo fiat de auxiliis de Civitate London' Et civitas London'* etc. *Dat' per Manum nostram in prato quod vocatur Ronimede*[3] *inter Windlesorum et Stan[es] Quinto decimo*[4] *die Junij Anno Regni nostri Decimo Septimo.*"

[1] This promise was fulfilled by the grant of the charter mentioned below (p. 5).

[2] Copied from the original in the British Museum.

[3] Runingmed'. *Blackstone.*

[4] The Great Charter was dated on Monday 15 June 1215, although the conference between the king and the barons was not concluded till Friday 19 June.

One very important provision which does not appear in the Articles was inserted in the Charter. By this the king undertook; that for the assessment of any aid or scutage, other than in the three cases before laid down [cl. 12], a General Council should be summoned after ample notice given; that such summons should include not only the prelates and great barons but all those who held of the king in chief; and that the assembly should be held at a certain day and place to be definitely appointed beforehand. The tenor of it runs thus :—

[14] *Et ad habendum commune consilium regni de auxilio assidendo aliter quam in tribus casibus predictis vel de scutagio assidendo summoneri faciemus archiepiscopos episcopos abbates comites et majores barones sigillatim per litteras nostras et preterea faciemus summoneri in generali per vicecomites et ballivos nostros omnes illos qui de nobis tenent in capite ad certum diem scilicet ad terminum quadraginta dierum ad minus et ad certum locum et in omnibus litteris illius summonicionis causam summonicionis exprimemus et sic facta summonicione negocium ad diem assignatum procedat secundum consilium illorum qui presentes fuerint quamvis non omnes summoniti venerint.*

In the words here quoted may be traced "the clear original of our Upper House of Parliament, consisting of lords spiritual and temporal," and further, "the principle of representation," as afterwards developed in the House of Commons.[1]

In the first Great Charter of this reign, granted at Bristol, and dated 12 Nov. 1216, certain matters which could not then be decided were postponed till further deliberation could be had. Amongst these was the mode of levying scutages, &c.; and the concluding sentence runs thus :—

"*Quia*[2] *vero quedam capitula in priore carta continebantur que gravia et dubitabilia videbantur scilicet de scutagiis et auxiliis assidendis de debitis Judeorum* etc. *placuit supradictis prelatis et magnatibus ea esse in respectu quousque plenius consilium habuerimus et tunc faciemus plenissime tam de hiis quam de aliis que occurrerint emendanda que ad communem omnium utilitatem pertinuerint et pacem et statum nostrum et regni nostri Quia vero sigillum nondum habuimus presentem cartam sigillis venerabilis patris nostri domini Gualonis tituli sancti Martini presbiteri cardinalis apostolice sedis legati et Willielmi Mariscalli comitis Penbrok' rectoris*[3] *nostri et regni nostri fecimus sigillari Testibus omnibus prenominatis et aliis multis Dat' per manus predictorum domini legati et Willielmi Mariscalli comitis Penbr' apud Bristollum duodecimo die Novembris anno regni nostri primo.*

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[1] Creasy (Sir Edw. S.)—*Rise and Progress of the English Constitution.* Fourth edition (1858), 186–188.

[2] Printed by *Blackstone* from the original in the archives of Durham cathedral. *The Great Charter*, &c. 35.

[3] The earliest date, on which the form "*rectoris*" &c. is used in the

There can be little doubt that the sittings of the council lasted for several days following the feast of Saint *Martin*, and that the charter was antedated 12 November, as had been before done with *John's* Great Charter (page 3, note 4); for *William Mareschal* is styled "*justiciarii nostri*" on the *Patent Roll* (1 *Hen.* III. *m.* 16) from the first to the fourteenth of November. After this latter date only is found on the Chancery rolls, as already pointed out (page 4, note 3), the form "*rectoris nostri et regni nostri*," which is employed above in the words relating to the charter being put under seal.

A Charter of Liberties bearing the same date and of similar tenor was granted to Ireland, and is yet on record in the Red Book of the Exchequer[1] at Dublin. The writ which relates to it, dated 6 Feb. 1216–17, is inrolled on the *Patent Roll* (1 *Hen.* III. *m.* 13), and wills that the Irish people shall enjoy for ever the same liberties as had been granted to the realm of England (*libertatibus regno nostro Anglie a patre et nobis concessis*) by the king's father and by himself.

On the 23rd of June following (1217) writs were issued to the several sheriffs in England, commanding them to have the charter of liberties read publicly at some day and place in the county to be appointed, and to cause those liberties to be firmly observed by all the king's lieges. The form is addressed to the sheriff of *Worcestershire* and runs thus :—

"*Precipimus tibi quod die et loco comitatus tui legi facias cartam libertatum quas Baronibus et omnibus aliis de regno nostro per commune consilium regni nostri concessimus et quam dominus legatus sigillo suo confirmavit et libertates in carta ipsa contentas omnibus fidelibus nostris firmiter facias observari in Balliva tua. Quia vero nondum etc. T. Comite apud Certes*[*eye*] *xxiij die Junii anno regni nostri primo.*" [*Close Roll*[2], 1 *Hen.* III. *m.* 15 dorso; printed in *Rot. Litt. Claus.* i. 336.]

When the earl of *Pembroke*, as the young king's guardian and governor[3] of the realm, by moderation and well-timed concessions had gradually won the refractory barons over to their allegiance, the party of the *French* prince became so weakened by their desertion, and also by serious reverses in the field, that their leader was glad to come to terms

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Patent Roll of this year, is 19 November (*m.* 16); and in the *Close Roll*, 20 November (*m.* 25).

[1] Printed in *Historic and Municipal Documents of Ireland*, edited by J. T. Gilbert (1870), p. 65.

[2] Of this roll there are awkwardly said to be parts 1 and 2. The fact is that the roll exists in duplicate, as stated in a contemporary hand on the dorse of the membranes :—"*pars unica duplicata.*"

[3] *Rector* being Englished "governor." Thus the *Patent Roll* 36 *Hen.* VIII. *part* 8, *m.* 12) :—"*T. Katerina Anglie Regina ac generali Rectrice ejusdem apud Hampton' Courte quarto die Augusti.*" "Witnes our derest and most entierly beloved wyffe Kateryne Quene of England and generall Governesse of the same at Hampton' Courte the fourth day of August."

in September 1217 (*Foedera*, i. 148). Peace being at length concluded between *Henry* and *Louis*, and those special internal troubles allayed, further deliberation (as before promised) was had on the questions left open by the former council. The king renewed at Saint *Paul*'s, London, the Charter of Liberties, and granted also a Charter of the Forest, each bearing date 6 Nov. 1217. Several ancient copies of these remain, but no two are literally and exactly alike. After careful comparison of several manuscripts in the *Harleian* collection, the text of No. 1120 is chosen for use in the subjoined extracts :—

Henricus Dei gracia rex Anglie dominus Hibernie dux Aquitanie et Normannie comes Andegavie archiepiscopis episcopis abbatibus prioribus etc. *salutem Sciatis quod intuitu Dei et pro salute anime nostre et animarum antecessorum et successorum nostrorum ad exaltacionem sancte ecclesie et emendacionem regni nostri spontanea et bona voluntate nostra concessimus et hac presenti carta nostra confirmavimus pro nobis et heredibus nostris inperpetuum de consilio venerabilis patris nostri Guall' tituli sancti Martini presbiteri cardinalis et apostolice sedis legati domini Walteri Ebor' archiepiscopi et aliorum episcoporum Anglie Will'i Marescalli Comitis Penbrok' rectoris nostri et regni nostri et aliorum fidelium comitum et baronum nostrorum Anglie has libertates subscriptas tenendas in regno nostro Anglie inperpetuum*

In primis concessimus Deo et hac presenti carta nostra confirmavimus pro nobis et heredibus nostris inperpetuum Quod Anglicana ecclesia libera sit et habeat jura sua integra et libertates suas illesas Concessimus eciam omnibus liberis regni nostri pro nobis et heredibus nostris inperpetuum omnes libertates subscriptas habendas et tenendas eis et heredibus suis de nobis et heredibus nostris inperpetuum Si quis comitum vel baronum nostrorum etc.

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Scutagium decetero capiatur sicut capi consuevit tempore H. regis avi nostri salvis archiepiscopis episcopis abbatibus prioribus templariis hospitalariis comitibus baronibus militibus et omnibus aliis tam personis ecclesiasticis quam secularibus libertatibus et liberis consuetudinibus suis quas prius habuerunt Omnes autem istas consuetudines predictas [*et libertates*] *quas concessimus in regno nostro tenendas quantum ad nos pertinet et erga heredes nostros omnes de regno nostro tam layci quam clerici observent quantum ad se pertinet et erga suos Pro hac autem donacione et concessione libertatum istarum et aliarum contentarum in cartis nostris de libertatibus et foreste*[1] *archiepiscopi episcopi abbates priores comites barones milites et libere tenentes et omnes de regno nostro dederunt*

[1] "in carta nostra de libertatibus foreste." *Harl.* 4975. This is the reading also of an ancient manuscript in the library of Lambeth palace (No. 166, f. 7).

nobis quintamdecimam partem omnium bonorum suorum mobilium [*Quia*[1] *vero sigillum*[2] *nondum habuimus presentem cartam sigillis venerabilis patris nostri G. tituli sancti Martini presbiteri cardinalis apostolice sedis legati et W. Marescalli comitis Penbroc' rectoris nostri et regni nostri fecimus sigillari*] *Testibus prenominatis et multis aliis Datum per manum venerabilis patris domini R. Dumholm' episcopi cancellarii nostri apud sanctum Paulum London' vj die Novembris anno regni nostri secundo.*

Explicit Magna Carta de libertatibus Anglie

As to the date of the council in which the two charters were granted, it must have lain between the 21st of October at the earliest and the 6th of November, the day of ensealing and delivery. Witness the following table, which exhibits from day to day the *teste* of the earl of *Pembroke*, on behalf of the king, so far as recorded in the Chancery rolls of the first and second years of *Henry* III., from 6 September to 18 November 1217 :—

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[1] This clause is found in *Harl.* 746, and somewhat differently worded in *Harl.* 946. The *Lambeth MS.* 166 (above referred to) after *mobilium* continues thus—*Concessimus eciam eisdem pro nobis et heredibus nostris quod nec nos nec heredes nostri aliquid perquiremus per quod libertates in hac carta contente infringantur vel infirmentur Et si de aliquo aliquid contra hoc perquisitum fuerit nichil valeat et pro nullo habeatur. Testibus* (as in the text), etc.

[2] The king's seal was ready at the beginning of his third year only. It began to be used on the fourth or fifth of November 1218; for, on the *Close Roll* (3 *Hen.* III. *m.* 14), below several inrolments of 3 November and before an entry dated 5 November, is a marginal note :—

"*Hic incepit sigillum domini Regis currere.*"

It was specially provided by a general council, at which were present cardinal *Guala*, the two archbishops, the regent and justiciar with many prelates and barons, that no charters or letters patent of confirmation, alienation, sale or gift, or of any thing that might endure in perpetuity, should be sealed with this new great seal until the king should attain his full age (*Pat. R.* 3 *Hen.* III. *m.* 6). Up to this time *Henry* had used the seal of *William Mareschal*, which was small in size, and displayed an armed knight on horseback, brandishing a sword. Thus it appeared, impressed in green wax, and hanging by a strip of parchment to letters patent, dated at Westminster, 8 Nov. in the 2nd year of the reign (1217), by which, at the prayer of cardinal *Guala*, and with the consent of *Robert* then bishop-elect of *Ely*, in whose diocese it was, the king granted for ever in frank almoigne the church of "Cestretune" (Chesterton) in the county of Cambridge to the canons of S. *Andrea*, Vercelli, towards their support. "Sigillum parvum e cera viridi pendens a funiculo membranaceo repraesentat bellatorem insidentem equo, et gestantem dexstra ensem : circum autem haec Epigraphes = SIGILLUM MARESCALLI." [*Gualae Bicherii . . . Vita* &c. *a Philadelfo Libico*, p. 100, note (*r*).]

Itinerary of Henry III.

Figure 1 = *Close Roll.*
„ 2 = *Fine Roll.*
„ 3 = *Patent Roll.*
The Text letter A denotes *Sunday.*

September *A.D.* 1217.

6	Chertsey	1
7	Chertsey	1, 3
8	Chertsey	1
9	Chertsey	1, 3
A 10	Chertsey	1, 3
11	Chertsey	1, 3
12	Chertsey	3
13		
14	Kingston	1, 3
15	Kingston	1, 3
16	Kingston	1
A 17	Kingston	1, 3
18	Kingston	1
19	Kingston	1
	Merton	3
20	Lambeth	1
21	Lambeth	1
22		
23	Westminster	1, 3
	Lambeth	1, 3
A 24	Gillingham	1, 2
25	Gillingham	3
26	Canterbury	3
27	Canterbury	1
28	Ewell	1, 3
29	Canterbury	1, 3
	Dover	3
30	Canterbury	1, 3

October *A.D.* 1217.

A 1	Rochester	1
2	Lambeth	1, 3
	Westminster	1
3	Lambeth	1, 3
4	Lambeth	1, 3
	Bermondsey	1
5	Lambeth	1, 3
	Westminster	1, 3

October *A.D.* 1217.

6	Westminster	1, 3
	Lambeth	1
7	Lambeth	1, 3
	Westminster	1
A 8	Westminster	1, 3
9	Westminster	1, 3
10	Lambeth	1, 3
11	Lambeth	1
	Westminster	1
12	Westminster	1, 3
	Lambeth	1
13	Lambeth	3
	Westminster	1
14	Lambeth	1, 3
A 15	Caversham	1, 3
16	Caversham	1
17	Caversham	1, 3
18	Caversham	1, 3
19		
20	Caversham	1
21	London	1
A 22	London	1
23	London	1
24	London	1
25	London	1
	Westminster	1
26	London	1, 3
27	London	1, 3
28	London	1, 3
A 29	London	1
30	London	1
	Westminster	1, 3
31	Westminster	1, 3

November *A.D.* 1217.

1		
2	Westminster	1, 3
3	Westminster	1, 3

November *A.D.* 1217.			November *A.D.* 1217.		
4	Westminster	1, 3	11	Caversham	3
☙ 5	Westminster	1	☙ 12	Caversham	1, 3
	Lambeth	3	13	Caversham	3
☞ 6	London	1, 3 *Charters dated*		Oxford	1
7	London	1	14	Oxford	1
	Westminster	2, 3	15		
8	Westminster	3	16		
9			17	Gloucester	1
10	Caversham	1, 3	18	Gloucester	1, 3

In the following year (22 Feb. 1217–18), letters were sent to every sheriff, commanding him to have the two charters publicly read in full county-court, the barons, knights, and all free tenants of the shire being called together, and made to swear fealty to the king; and further, that he should cause thereafter the several points of both charters to be strictly observed. [*Close Roll*, 2 *Hen.* III. *m.* 11 dorso.]

A Fifteenth[1] of Moveable Goods

payable in moieties

25 May and 29 Sept. 1225.

(*)

A° 9° Hen. III. 11 Feb. 1224–5.

In a Great Council, holden at Westminster in the ninth year of his reign, the king regranted the Charter of Liberties and Charter of the Forest, each bearing date 11 February 1224–5; and the archbishops, bishops, abbots, priors, earls, barons, free tenants and all others (*libere tenentes et omnes de regno*) gave to him in return a Fifteenth part of their moveable goods.

The king being now in his eighteenth[2] year, a renewal of the two charters was demanded from him as a condition precedent to granting money, of which he stood greatly in need, for the defence of the realm against invasion by the king of *France*, and also for the recovery of

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[1] No documents found for Lancashire.

[2] For the day of his birth, see p. 35.

the provinces wrested from him by *Louis*. He at once showed that readiness to make promises which characterized his whole reign, while intending to keep them only if compelled. In this frame of mind he confirmed the charters granted in the second year, all the time inwardly believing, indeed knowing, them to be invalid by reason of his nonage. This fact is thrown into strong relief by a letter on the 23rd of May 1225, from the king to the bishop of *Durham*, in which *Henry* openly avows, and invites the prelate himself to witness, that as yet nothing can be granted in perpetuity under his great seal ;[1] as laid down by the resolution of a general council, which he now puts forward as a reason for holding in suspense the grant of certain liberties named in a petition of the bishop. After recalling the spontaneous manner in which this Fifteenth had been granted, and affecting to rely upon the bishop above others for prompt payment of the money due from his own lands and fees, the king makes the avowal above mentioned in these words (*Close Roll*, 9 *Hen.* III. *part* 2, *m.* 12 dorso) :—

"*nec vos moveat vel molestet suspensa ad presens facta nobis ex parte vestra peticio de libertatibus vobis concedendis cum necesse sit sic adhuc fieri ex vestro et aliorum magnatum et fidelium nostrorum prestito sacramento* quod a sigillo nostro nondum quicquam perpetuum emanabit *Veruntamen promptam gerimus voluntatem ea vobis super hiis et aliis liberaliter annuere reperta temporis opportunitate que vestra dileccio cum graciarum actionibus grata gerat et accepta Teste ut supra* [i.e. *rege apud Westmonasterium xxiij die Maij anno nono*].

Yet on the 6th of July following he writes to the sheriffs of *Yorkshire* and *Cumberland;* and, after particularly emphasizing the clause, *Et salve sint* etc. (p. 11)—saving to all his subjects the liberties and free customs which they had before had—he orders both within their respective jurisdictions to see to the strict observance of all liberties which had been used in the reigns of his ancestors, and chiefly in the time of his father, unless such had been expressly stated in the two charters now granted to have been withdrawn. [*Close Roll*,[2] 9 *Hen.* III. *part* 2, *m.* 9.]

The following copy of the CHARTER OF LIBERTIES is made from the Red Book of the Exchequer (fol. 183), the extracts being, as before, confined to those clauses which mediately or immediately concern taxation.

CARTA DE LIBERTATIBUS CONCESSIS MAGNATIBUS ANGLIE

Henricus Dei gracia Rex Anglie Dominus Hybernie etc. Archiepiscopis Episcopis Comitibus Baronibus etc. salutem Sciatis quod nos intuitu Dei [*et*[3]] *pro salute anime nostre et animarum antecessorum et*

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[1] See page 7, note 2. [2] *Rot. Litt. Claus.* ii. 48 b, 49 d.

[3] Supplied—with other words inserted below in brackets [ ]—from *Blackstone*'s edition of this charter, being an original deposited at the period in Lacock Abbey, Wiltshire, and afterwards (1759) in the possession of *John Talbot* esquire. [*The Great Charter*, &c. 47–58.]

successorum nostrorum ad exaltationem sancte ecclesie et emendationem regni nostri spontanea et bona voluntate nostra dedimus et concessimus Archiepiscopis etc. et omnibus de regno nostro has libertates subscriptas
1 *tenendas in regno nostro Anglie inperpetuum In primis concessimus Deo et hac presenti carta* [*nostra*[1]] *confirmavimus pro nobis et heredibus nostris inperpetuum quod Anglicana ecclesia libera sit et habeat* [*omnia*[1]] *jura sua integra et libertates suas illesas Concessimus eciam et dedimus omnibus liberis hominibus regni nostri pro nobis et heredibus nostris inperpetuum omnes libertates subscriptas habendas et tenendas eis et heredibus suis de nobis et heredibus nostris* [*inperpetuum*[1]]
2 *Si quis Comitum* etc.

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9 *Civitas London' habeat omnes libertates antiquas et liberas consuetudines suas Preterea volumus et concedimus quod omnes alie civitates et Burgi et ville et barones de quinque portubus et omnes portus*
10 *habeant omnes libertates et liberas consuetudines suas Nullus distringatur ad faciendum majus servicium de feudo militis nec de alio*
11 *libero tenemento quam inde debetur Communia placita non sequantur*
12 *curiam nostram set teneantur in aliquo loco certo Recognitiones* etc.

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37 *Scutagium decetero capiatur sicut capi consuevit tempore H. Regis avi nostri Et salve sint archiepiscopis episcopis abbatibus prioribus Templariis Hospitalariis Comitibus Baronibus et omnibus aliis tam ecclesiasticis personis quam secularibus libertates et libere consuetudines quas prius habuerunt Omnes* [*autem*[1]] *istas consuetudines predictas et libertates quas concessimus in regno nostro tenendas quantum ad nos pertinet erga nostros omnes de regno nostro tam clerici quam laici observant*[2] *quantum ad se pertinet erga suos Pro hac autem donatione et concessione libertatum istarum et aliarum contentarum in carta nostra de libertatibus foreste archiepiscopi episcopi etc. et libere tenentes et omnes de regno nostro dederunt nobis Quintamdecimam* [*partem*[1]] *omnium mobilium suorum Concessimus eciam eisdem pro nobis et heredibus nostris quod nec nos nec heredes nostri aliquid perquiremus per quod libertates in hac carta contente infringantur vel infirmentur*

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[1] Supplied—with other words inserted below in brackets [ ]—from *Blackstone*'s edition of this Charter, being an original deposited at the period in Lacock Abbey, Wiltshire, and afterwards (1759) in the possession of *John Talbot* esquire. [*The Great Charter*, &c. 47–58.]

[2] Rightly *observent*, as in the Lacock charter.

et si ab aliquo aliquid contra hoc perquisitum fuerit nichil valeat et pro nullo habeatur.[1] [*Hiis testibus domino S. Cantuar' archiepiscopo E. London' J. Bathon' P. Winton' H. Linc' B. Roffen'* etc. *Dat' apud Westmon' undecimo die Februarii anno regni nostri nono.*]

In letters patent,[2] dated 15 Feb. 1224–5 and addressed by the king (*Patent Roll*, 9 *Hen.* III. *m.* 8 dorso) to *William Basset* and others, whom he named his justices to assess and collect the Fifteenth of moveables in the counties of Nottingham and Derby, the form of levying this tax throughout England is clearly laid down; and by another entry on the same roll (*m.* 7 dorso) it is shown that the persons appointed for Lancashire were *William* Pincerna (or *Butler*), *William Blundell*, *Geoffrey* Balistarius (or *Arblaster*) and *Jordan* of *Chester* clerk.

The form, applied to Lancashire and turned into an English abstract, is as follows :—

The sheriff of *Lancashire* to bring together, before the justices appointed at Lancaster on the morrow of Mid-Lent (*i.e.* 10 March 1224–5), all the knights of the county. For every hundred or wapentake four knights (more or fewer according to size) then to be chosen who are to assess, levy and collect a Fifteenth of all moveable goods :

EXCEPT, nevertheless, from this Fifteenth :—

As to archbishops, bishops, abbots, priors and other religious men; earls, barons, knights and free men (who are not merchants);	all manner of books, ornaments of churches and chapels, riding horses, cart horses, sumpter horses, and arms; all manner of jewels, vessels, utensils, larders, cellars, hay and corn bought for garniture of castles;
As to merchants (traders);	arms,[3] riding horses, domestic utensils, cellars and larders for victuals;
As to villains;	arms,[3] utensils; such flesh, fish and drink, and also hay and forage as are not for sale.

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[1] The entry in the *Red Book* stops at *habeatur*. The remainder is added from the Lacock exemplar.

[2] Printed by Brady in his *History of England*, i. Appendix, n° 150; also in Rymer's *Foedera*, i. 177.

[3] Arms to which they are sworn. The rates at which persons were sworn to arms (*jurati ad arma*) for keeping the king's peace are set out, under date 20 May 1242, in the *Close Roll*, 26 *Hen.* III. *part* 2, *m.* 10 dorso. See the particular reference made thereto below (p. 68), and also to an assize of arms, directed to be made in June 14 *Hen.* III. (1230), when it was enjoined that arms were to be sworn and assessed as in the time of king *John* (*jurari et assideri per totam ballivam ipsius vicecomitis*

The knights chosen not to go into the hundreds or wapentakes in which they reside, but into those neighbouring. Every one (except earls, barons and knights) shall swear as to the number, quantity and value of his own moveables, and likewise of those of his two nearest neighbours; and if, perchance, any disagreement arise between him whose the goods are and his neighbours concerning the same, the knights themselves, by the oath of twelve (or as many as seem enough) honest and lawful men of the neighbours, shall inquire into the truth of the matter, and take a Fifteenth according to the result. The serjeants and reeves (*Servientes vero et prepositi*), or reeves only (if there be no serjeants), of lands belonging to earls, barons and knights, shall swear in like manner as to the moveables of their lords in the several towns. One moiety of such Fifteenth shall be paid at the feast of Holy Trinity in the ninth year (25 May 1225); the other, at the feast of Saint Michael next following (29 Sept. 1225). Which said Fifteenth those knights shall receive by the hands of four lawful men and the reeve[1] of the several towns by tallies thereof made between them; and so bring the money received to the Taxors [the Justices named by the king as above said] who are to put it in some safe place—be it a cathedral church or abbey or priory—under their seals and the seals of the knights, until provision be made whither it is to be sent. Those knights shall give up to the Taxors, immediately after the Fifteenth shall have been assessed, the writings and their rolls therefrom made, reserving to themselves transcripts. The four knights (more or fewer) chosen as aforesaid shall swear *tactis sacrosanctis* in presence of the Taxors that they will execute all these things faithfully and diligently, and not omit to do them for love or hate or any thing in the world. The Taxors shall swear before the sheriff and the assembled knights that they will faithfully and diligently to the best of their power observe this form in all things by themselves and others. If any of the chief Taxors, clerk or layman, cannot be present when these things are being done for some manifest, reasonable and necessary cause, then the remaining persons shall have power to choose in his stead another, who shall take the same oath as to faithful execution. The same shall be done with regard to the fees of archbishops, bishops, priors and other religious men, their own demesnes and villains

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icut jurata fuerunt tempore domini J. regis patris nostri). Of a yet earlier assize, ordered by *Henry* II. in July 1181, details then follow p. 70), to which may be added here some of the restrictions placed upon hose so sworn. No one, when once he has these arms, shall sell, or pledge, or lend them, or in any other way alienate them from himself. No lord shall take them from his man by forfeiture, or gift, or pledge, or otherwise. If any one having arms shall die, they shall remain to his heir. If the heir be not old enough to use arms, then his guardian shall have them in charge, and shall find a man to supply his place until the heir reach the age to carry arms, and then he shall have them.

[1] See *Select Charters* (ed. Stubbs), 345.

excepted, of whom and which the archbishops and bishops shall cause the Fifteenth to be assessed and collected in form aforesaid, and shall answer for the same to the king at the terms above mentioned. Dated at Westminster the 15th day of February [1224–5].

It was provided by the king's council (*de consilio fidelium nostrorum nobis apud Lond' nuper assistencium*) sitting at London that, of the whole Fifteenth collected from clerks as well as laymen, one half should be put for safe custody in Winchester castle under the charge of *Richard* bishop of *Salisbury*, and the other half in the castle of Devizes in charge of *Jocelyn* bishop of *Bath*.

Minute instructions were sent in writing, not only to the chief Assessors in every county, but also to the archbishops, bishops, sheriffs and bailiffs, laying down in detail the routes and times of arrival; and safe conduct was ordered[1] to be provided by all sheriffs and bailiffs through whose districts or jurisdiction those carrying the Fifteenth might pass. As to LANCASHIRE, all the money collected for the first (being Trinity) term in the ninth year was to be brought to Nottingham, so as to be there in three weeks from Trinity Sunday (15 June 1225) under the conduct of *William* earl of *Ferrers*, *Robert Gresley*, *William* of *Lancaster*, and the sheriff of the county. Thence two of the justices (appointed for the assessment of the tax) and one of their clerks, in company with the bailiffs of the archbishop of *York* and bishop of *Coventry* bringing the Fifteenth collected (as much as appertained to the archbishop and bishop in Lancashire) by them, were to carry that money as quickly as possible (*sub qua poterunt festinacione*) to Winchester, and there deliver it to the bishop of *Salisbury*, or his bailiffs assigned *ad hoc*, and before him or them render an account of their receipts. Reasonable expenses were allowed to those so taking the money to Winchester. Witness the king at Westminster 14 May 1225.

Trinity Term 1225.

As to the moiety of the king's Fifteenth for Michaelmas term of the same year (1225), since the money could be more conveniently received at Winchester, where provisions were plentiful and the inns safe (*ubi copia est victualium et securitas hospiciorum*), than at Devizes, which was deficient in both these points (*ubi defectus est victualium et hospiciorum*), the sums obtained were ordered to be taken thither. All the money of the Fifteenth collected in Lancashire for Michaelmas term together with the arrearages of the first term, and including the amount forthcoming from the archbishop of *York* and the bishop of *Coventry* as before, was to be taken under the conduct of the persons named (for the first term) to Nottingham, so as to be there in one month from Michaelmas-day (27 October 1225) and thence to Winchester by two justices and a clerk in company with the bailiffs of the two prelates abovenamed, who were to deliver the same to the bishops of *Bath* and *Salisbury*, or their bailiffs assigned

Michaelmas Term 1225.

[1] *Close Roll*, 9 *Hen.* III. *part* 2, *m.* 13 dorso.

ad hoc, and before them render an account of their receipts; reasonable expenses being allowed as before. Witness the king at Westminster 20 August 1225. [*Close Roll*, 9 *Hen.* III. *part* 2, *m.* 5 dorso.]

The Fifteenth of certain counties, namely; Norfolk and Suffolk, Surrey, Bedford and Buckingham, Cambridge and Huntingdon, Kent, Essex and Hertford, Middlesex, was ordered to be delivered at the New Temple, London.

The specific mention of these eleven counties, and of the place appointed for delivery of the sums collected, serves to identify an account of a Fifteenth on a *Foreign Roll*[1] with the tax now under notice, and the receipt of the second moiety.

First, to extract in the actual words—some contractions being extended—so much as relates to Lancashire, and the adjacent counties of Cumberland and Westmoreland :—

COMPOTUS R. episcopi Sar' de Quintadecima Anglie apud Wint[oniam] tam de viris [religiosis] quam de aliis per ipsum recepta.

IDEM episcopus Walterus de Saresbir' clericus pro eo reddit compotum de D. et quater xx. et iij. li. et xvij. s. et viij. d. de Quintadecima de Berkesir'

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Et de D. et liij. li. de Quintadecima Comitatus Lancastr'
Et de CCCC. et lxv. li. et x. s. de Quintadecima Comitatus de Cumberland'
Et de CC. et lxxix. li. et x. s. de Quintadecima Comitatus de Westmeriland'

[*Foreign Roll* (n° 1), Ro. 5]

Then, the Account, in itself of high interest and value, though too lengthy to print in the form entered on the roll, may be drawn into a general table that, following the order of the original, exhibits the relative proportions borne by the levy in the several counties.[2]

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[1] *Exch. L. T. R. Foreign Accounts*, *Roll* n° 1. Referred to below, as *Foreign Roll* (n° 1), or *Foreign Roll*, simply.

[2] The counties here enumerated (37 in all) agree exactly with the list given in one of the *Miscellaneous Books of the Exchequer* (n° 7)—Cheshire being reckoned with Wales—which gives the several accounts of a Fifteenth and Tenth granted in Parliament 4 Nov. 3 Hen. V. (1415), and levied throughout England.

[*A.D.* 1226] ACCOUNT by *Richard* bishop of *Salisbury* of the Fifteenth received at Winchester.

County	£.	*s.*	*d.*
Berks	583	17	8
Somerset	601	—	—
Sussex	911	4	7
Wilts... ...	722	—	—
Northampton ...	1,190	8	7
Rutland	154	19	3
Oxford	800	—	—
Nottingham and Derby ...	921	—	—
Leicester	596	5	—
Warwick	528	—	—
Southampton ...	648	10	—
Lincoln	2,905	—	—
Worcester	278	10	—
Salop and Stafford...	880	—	—
Cornwall	400	—	—
Devon	464	—	—
Gloucester	1,134	9	6½
Hereford	315	12	8
Lancaster	553	—	—
Cumberland... ...	465	10	—
Westmerland ...	279	10	—
York	2,319	6	8
Dorset	394	10	—
Northumberland ...	600	—	—
Sum Total	£18,646	13	11½

FIFTEENTH received at Winchester by *Richard* bishop of *Salisbury* from religious men.

See	£.	*s.*	*d.*
Salisbury	1,189	5	9½
Bath[1]	284	—	—
Chichester	275	8	1
Winchester ...	304	6	8
Worcester	487	10	—
Chester	329	1	9½
Exeter	136	—	—
Carlisle	22	—	3½
York	915	—	—
Sum	£3,942	12	7½

FIFTEENTH received[1] at London by *Jocelyn* bishop of *Bath* from the following counties.

County	£.	*s.*	*d.*
Norfolk and Suffolk	3,051	11	11
Kent	1,274	15	—½
Cambridge and Huntingdon ...	936	14	1
Bedford and Buckingham ...	1,524	6	10
Essex and Hertford	1,247	—	—
Middlesex	248	5	6½
Surrey	539	9	9
[Omitting small amounts, apparently arrearages of Trinity Term]	*	*	*
Sum	£9,244	9	3½

[1] The bishop of *Bath* received beside, and accounted for £142 4*s.* 9*d.* of the 15th collected from the episcopal demesnes, and from religious men in the see of Bath. [*Foreign Roll*]

SUMMARY OF RECEIPT

Richard[1] bishop of *Salisbury*, receiver.

	£.	s.	d.
Counties	18,646	13	11½
Religious men	3,942	12	7½
	£22,589	6	7

Jocelyn[2] bishop of *Bath*, receiver.

	£.	s.	d.
Counties (including sundry small sums)	9,244	9	3½
Religious men	6,099	9	5
	£15,343	18	[3]6½

The date of this Account does not precisely appear, but therein is a reference to Thursday before the feast of All Saints in the tenth year (30 Oct. 1225); on which day a sum of £8,500 out of his own receipt at the New Temple, London, was consigned by the bishop of *Bath*, in accordance with the king's letters patent of that date, to *Thomas* de Haya and *Reginald* de *Bernevalle*, that it might be carried by them to Winchester for delivery there to the bishop of *Salisbury*, who duly acknowledges the payment of that sum beyond the other moneys above set down in his account, making a gross total of £31,089 6*s.* 7*d.*

Further, there are entries on the *Close Roll*[4] (10 Hen. III.) which show payments made for the transfer of treasure from London to Winchester. A sheriff of London to receive (30 Oct. 1225) 8*s.* 6*d.* for 17 barrels wherein the treasure is to be deposited. *Thomas* de Haya receives five marks for hire of carts; and he and *Reginald* have three marks and two marks, respectively, allowed to them for the expenses of their journey in company to Winchester, under date, 2 Nov. 1225.

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[1] This bishop included in his account a further sum of £8,500, received by order of the king from the bishop of *Bath*, who takes credit for that amount; but I here give the separate receipt of each bishop, as extracted from this *Foreign Roll*.

[2] He died 19 Nov. 1242, and was the last bishop who had the single title of *Bath*. His successor, *Roger* (some time precentor of *Sarum*), to whom the temporalities were restored 10 May 1244, on his accession to the see, used the same style; but, by ordinance of pope *Innocent* the Fourth, made 3 January 1244–5, and peremptorily renewed 14 May 1245, he took (subsequent to the latter date) the double title of *Bath* and *Wells*, which has continued from that time to be the style of all bishops of the Somersetshire see. This subject is discussed at length in a paper contributed by me to the *Genealogist*, New Series, ii. 161.

[3] An error in the casting for £15,343 18*s.* 8½*d.*

[4] Printed in *Rot. Litt. Claus.* ii. 84 a.

By an order of the king made 14 December 1225 (*Close Roll*, 10 *Hen.* III. *m.* 26 dorso), the justices before named (p. 12) are directed to diligently audit the account of the whole money collected; which done, two of them, one layman and one clerk, are to proceed without delay to Westminster, and there to render, in five weeks[1] from the Purification following (*i.e.* 9 March 1225-6), before the bishops of *Bath* and *Salisbury* (or their assigns), a final account of all receipts of the Fifteenth, bringing with them at the same time all arrearages.

The total amount of this Fifteenth, assessed and collected throughout England, is shown by the *Red Book of the Exchequer* (f. 180) to have been 86,758 marks and two-pence; or £57,838 13*s.* 6*d.* Witness the entry itself in these words :—

"Summa xv^me^ assise per Angliam anno regni Regis Henrici filii Regis Johannis octavo[2] iiij^xx^vj.mil.DCClviij. mar. ij. d."

Naturally, in the course of the levy, questions arose which required to be dealt with on their merits; and thus there were some exemptions beyond those named in the king's letters patent (p. 12). So the justices of the Fifteenth in the county of Bedford were ordered (11 April 1225) not to assess or collect the tax from the goods of *Isabel* de *Beauchamp*, or of any person who deceased before the day on which it was granted to the king's use; and those appointed for Sussex were directed (12 April 1225), in dealing with ships or boats voyaging by sea, not to levy the Fifteenth on their cordage or nets.[3]

Matthew Paris[4] is certainly wrong when he says—in a passage[5]

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[1] Printed in *Rot. Litt. Claus.* ii. 147 b.

[2] This is, of course, an error for *nono*. The grant and assessments were made in the *ninth*, and the final accounts rendered in the tenth year of the king's reign.

[3] Printed in *Rot. Litt. Claus.* ii. 27 a, 27 b.

[4] Now I am quite aware that the history from the hand of *Matthew Paris* himself begins at the year 1235, and that before this date the work long known by his name is now universally believed to have been written by *Roger* of *Wendover*. I know also that *Paris*, by adopting *Wendover*'s history, and by adding interpolations to the text and marginal notes, made that history his own. I consider myself justified, therefore, in speaking here and elsewhere of *Paris* only. After all, I am dealing with the *facts* stated, not with the *person* who wrote them.

[5] *Anno Domini* MCCXXV. *Rex Henricus ad Natale tenuit curiam suam apud Westmonasterium, præsentibus clero et populo cum magnatibus regionis. Solennitate igitur, ut decebat, completa, Hubertus de Burgo* etc. *Petiit ergo ab omnibus consilium pariter et auxilium* etc. *ad hoc quoque plene perficiendum, regi sufficere credidit, si ei quintadecima pars omnium rerum mobilium totius regni Angliæ tam a personis ecclesiasticis quam a laicis donaretur. His in hunc modum* etc. [*Matth. Paris Chronica Majora* (ed. Luard), iii. 91.]

which has been quoted over and over again[1]—that *Henry* kept his Christmas at Westminster in 1224; or, as he makes it, beginning the year on Christmas day, 1225.

It is clearly shown by the Chancery rolls that the king must have celebrated Christmas at Oxford, for on the 24th of December his *teste* is found at Brackley, and on the 27th at Oxford. But we are not left to what would be a very reasonable conjecture, for I have been fortunate enough to discover an entry (*Close Roll*, 9 *Hen.* III. *part* 1, *m.* 11), which directs a sum of 25 shillings to be paid to certain persons who sang **Christus vincit** before the king at Oxford on Christmas-day in the ninth year of his reign (1224). The words, interesting in themselves, are especially valuable as setting the monkish historian right on a matter of fact :—

Rex E. Thesaurario et Camerariis suis salutem Liberate de thesauro nostro etc. *Liberate eciam Johanni de Alatrio* etc. *et Waltero de Lenz et sociis suis xxv solidos pro* **Christus vincit**[2] *quem cantaverunt coram nobis apud Oxon' die Natal' Domini anno etc. nono Teste ut supra anno eodem* [i.e. *apud Westm. xviij die Februarii*]. *Per justiciarium.*

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[1] Take for instance :—Dr. Brady's *Introduction to the Old English History*, 126; Hody's *History of English Councils*, 305; and Parry's *Parliaments*, 26.

[2] See *Du Cange* (*Glossarium* &c.) under *Laus*, 2 ; where, after giving explanations and illustrations of *Laudes*, the author quotes a very ancient Litany from a manuscript preserved in Arles cathedral, beginning

CHRISTUS vincit, CHRISTUS regnat, CHRISTUS imperat,

three times by the priest, and repeated by the clergy. Then the saints are invoked to aid by their prayers the pope, king, queen, royal family, judges [or magnates] and the whole army of Christians. After which :—

CHRISTUS vincit, CHRISTUS regnat, CHRISTUS imperat.
Rex noster : Christus vincit.
. . . ia nostra : Christus vincit.
Auxilium nostrum : Christus vincit.
Liberatio et redemptio nostra : Christus vincit.
Victoria nostra : Christus vincit.
Arma nostra invictissima : Christus vincit.
Murus noster inexpugnabilis : Christus vincit.
Defensio et exaltatio nostra : Christus vincit.
Lux, via et vita nostra : Christus vincit.
Ipsi soli imperium, gloria et potestas per immortalia sæcula sæculorum, Amen.
Ipsi soli honor et jubilatio per infinita sæcula sæculorum, Amen.
Ipsi soli virtus, fortitudo, et victoria per omnia sæcula sæculorum, Amen.

Itinerary of Henry III.

Figure 1 = *Close Roll.*
„ 2 = *Fine Roll.*
„ 3 = *Patent Roll.*

The Text letters, 𝔉, 𝔈, denote *Sunday* in the respective years.

December *A.D.* 1224.

20	Geddington	1, 2
21		
𝔉 22		
23	Northampton	1
	Brackley[1]	1, 2
24	Brackley	1, 2, 3
25	Oxford	1
26		
27	Oxford	1
	Wallingford	3
28	Wallingford	1, 2
𝔉 29	Reading	1, 2, 3
	Windsor	1
30	Windsor	2
31	Westminster	2, 3

January *A.D.* 1224–5.

1	Westminster	1, 2
2	Westminster	1, 2
3	Westminster	1, 3
4	Westminster	1, 2, 3
𝔈 5	Westminster	1, 3
6	Westminster	1, 2
7	Westminster	1
8	Westminster	1, 2, 3
9	Westminster	1
10	Rochester	1, 3
11	Rochester	1
	Faversham	1
	Canterbury	1, 2
𝔈 12		
13		
14	Dover	1, 3
15	Dover	2
16		
17	Dover	1
	Romney	1
18		
𝔈 19	Winchelsea	2, 3
20	Winchelsea	1
	Rye	1, 3
21	Rye	1, 2
22		
23		
24	Battle	1, 3
25	Robertsbridge	1, 3
𝔈 26	Sutton	1, 2
	Rochester	3
27		
28		
29	Westminster	1, 2, 3
30	Westminster	1, 2, 3
31		

[1] Brackley had a weekly market on Sunday until the king, by writ dated 16 March 1217–18 and addressed to the sheriff of *Northamptonshire*, ordered it to be held in future on Wednesday. By other writs of the same date the markets of Leominster (Herefordshire) and Thatcham (Berks) were removed from Sunday to Thursday. [*Close Roll*, 2 *Hen.* III. *part* 2, *m.* 9.]

February	*A.D.* 1224–5.		February	*A.D.* 1224–5.	
1	Westminster	1, 2, 3	12	Westminster	1, 3
[1]℣ 2			13	Westminster	1, 2, 3
3	Westminster	1, 2, 3	14	Westminster	1
4	Westminster	1	15	Westminster	1, 3
5	Westminster	1	℣ 16	Westminster	1, 2
6	Westminster	1	17	Westminster	1, 3
7	Westminster	1, 3	18	Westminster	1, 2, 3
8	Westminster	1, 2, 3	19	Westminster	1
℣ 9				New Temple	1, 2, 3
10	Westminster	1	20	New Temple	1, 2
☞ 11	Westminster	3 *Charters dated*	21	New Temple	1

A like payment of 25 shillings[2] was made *Waltero de Lenche et sociis suis clericis de capella nostra* for singing Christus vincit on other great festivals before the king, who was then at the places following[3]:—

A.D. 1225.
Easter (30 March), at Reading;
Pentecost (18 May), at Waltham;
Christmas (25 Dec.), at Winchester.

The inaccuracy here pointed out, like others elsewhere noted, may be thought by some too trifling for comment. The same indifference can scarcely be shown to an error pointed out by *Blackstone*.[4] *Matthew Paris*, supposing that no charter of liberties had been granted by king *Henry* before the ninth year of his reign, mistook a circumstance, which happened in the latter end of the year 1222 (or beginning of 1223);

"as if it were productive of the grant, which was made about two years afterwards. This was the issuing of writs to all the sheriffs in England, to make an enquiry by the oath of twelve knights in each county, what were the liberties used in England in the reign of king Henry the second: which enquiry he supposes to have arisen from a demand of the prelates and barons, that the young king should confirm the liberties for which the war was begun against his father. But the writs themselves, when inspected, import nothing less than what he has distorted them to prove; being only a command to enquire what customs and liberties king John, not the people, had enjoyed before the commencement of the barons' war; which rights of the crown had probably fallen into disuse and oblivion during those intestine commotions."[4]

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[1] This, according to *Walter of Coventry* (ed. Stubbs, ii. 256), was the day for which the council was convoked—*In Purificatione beatæ Mariæ convocantur apud Londonias proceres Angliæ.*

[2] At Pentecost in the ninth year of his reign (10 June 1207) Christus vincit was sung at Woodstock before king *John*, who made a similar order for 25 shillings to be paid.

[3] *Rot. Litt. Claus.* ii. 33 a, 41 a, 98 b.

[4] *The Great Charter*, &c. Introduction, xliii. xliiii.

The points of difference between the account given by the historian, and the terms of the king's writ, can be best shown by printing the two versions, side by side:—

COTTON MS.

Nero D.v. fol. 221.

Anno[1] *Domini* M°CC°xxiij° *rex Henricus ad Natale tenuit curiam suam apud Oxoniam Et postmodum in octavis Ephiphanie*[3] *apud London' veniens cum baronibus ad colloquium requisitus est ab archiepiscopo Cantuariensi et magnatibus aliis ut libertates et liberas consuetudines pro quibus guerra mota fuerat contra patrem suum confirmaret Et sicut archiepiscopus ostendit evidenter idem rex diffugere non potuit quin hoc faceret cum in recessu Lodowici ab Anglia juraverat et tota nobilitas regni cum eo* quod libertates prescriptas omnes observarent et omnibus traderent observandas. *Quod audiens Will's Briwer* * * * *Videns autem rex archiepiscopum in iram comotum dixit* Omnes libertates illas juravimus et omnes astricti sumus ut quod juravimus observemus *Et rex protinus habito super hoc consilio misit litteras suas ad singulos vicecomites regni ut per milites xii vel legales homines uniuscujusque comitatus per sacramentum facerent inquiri que fuerunt libertates in Anglia tempore Henrici regis avi sui et factam inquisitionem apud London' mitterent ad regem in quindecim dies post Pasca.*

CLOSE ROLL

7 Hen. III. part 1, m. 20 dorso.

Brevia de libertatibus

Rex[2] *vicecomiti Sussex' salutem Precipimus tibi quod diligenter inquiri facias in pleno comitatu tuo per sacramentum xij de legalioribus et discretioribus militibus comitatus tui per quos rei veritas melius sciri poterit quas consuetudines et quas libertates dominus J. rex pater noster habuit in baillia tua die qua guerra incepit inter ipsum et barones suos Anglie de terris et forestis et aliis infra burgos et extra et quas consuetudines et libertates ipsum regem patrem nostrum tunc habuisse dideceris per inquisicionem predictam clamari et firmiter nobis observari facias in comitatu tuo et inquisicionem illam et nomina inquisitorum nobis scire facias apud Westm' in crastino Clausi Pasche distincte et aperte sub sigillo tuo et sigillis eorum per quos inquisicio illa facta fuerit et habeas ibi hoc breve Teste H. etc. apud Westm' xxx° die Januarii* [1222–3].

Eodem modo scribitur omnibus vicecomitibus Anglie.

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[1] *Chronica Majora* (ed. Luard), iii. 75. Rather—as we should say—1222. *Paris* began the year on Christmas-day; a fact to be constantly borne in mind throughout that writer's history, but one which Dr. *Luard*, in editing *Chronica Majora*, has never once cautioned the reader to remember, even when there is as well manifest error in the number of the regnal year.

[2] Printed in Rymer's *Fœdera*, i. 168; and Brady's *History*, &c. i. Appendix, 168.

[3] See some remarks on the king's return to London, p. 23.

Whatever may be the truth about the council and its deliberations, it is certain that the king, having spent Christmas at Oxford, took several days' journey, and did not return to London, or rather to Westminster, for a week after the octaves of the Epiphany, which latter date answers to the thirteenth of January. Here is the record of his progress:—

Itinerary of Henry III.

Figure 1 = *Close Roll.*
„ 2 = *Fine Roll.*
„ 3 = *Patent Roll.*

The Text letters 𝔅, 𝔄, denote *Sunday* in the respective years.

December *A.D.* 1222.

24	Oxford	1
𝔅 25	Oxford	1
26	Oxford	1, 2, 3
27	Woodstock	2, 3
28	Woodstock	1, 2, 3
29	Oxford	1
30		
31	Hungerford	1

January *A.D.* 1222–3.

𝔄 1	Marlborough	1
2	Marlborough	1
3	Amesbury	1
4	Wilton	1, 2
5	Shaftesbury	1
6		
7	Sherborne	1, 3

January *A.D.* 1222–3.

𝔄 8	Ilchester	2
9	Ilchester	1
10	Ilchester	1
11	Cerne	1
	Charminster	1
12	Charminster	1
13		
14	Blandford	1, 2
	Wilton	1
𝔄 15	Wilton	3
16		
17	Winchester	1, 2, 3
18	Alton	1, 2
19	Guildford	1
20	Westminster	1
21	Westminster	1
𝔄 22	Westminster	2

Soon after (9 April 1223), sending new writs to all the sheriffs in England, the king with the advice of his council ordered, that nothing further should be done at present than to return, as heretofore directed, the inquisition concerning the customs and liberties of lands, forests and other things, which his father had on the day that war began with his barons; adding that he had no wish whatever to initiate or to cause the observance in the realm of any evil customs, but only to have the result of their inquiries made known on the octaves of the Holy Trinity then next ensuing (25 June 1223). The form (*Close Roll*, 7 *Hen.* III. *part* 1,

m. 14 dorso) is addressed to the sheriff of *Berkshire*[1] and recites the very terms of the former writ, dated 30 January:—

Brevia de inquisicione libertatum domini regis

Rex vicecomiti Berk' salutem Precepimus tibi alias quod diligenter inquiri faceres in pleno comitatu tuo per sacramentum xij de legalioribus et discrecioribus militibus comitatus tui per quos etc. *et inquisicionem illam* etc. *in crastino Clausi Pasche distincte et aperte* etc. *per quos inquisicio illa facta fuisset Nunc autem de consilio fidelium nostrorum tibi precipimus per litteras nostras quas in pleno comitatu tuo legi facias quod inquisicionem predictam predicto modo penitus diligenter fieri facias in baillia tua eo excepto quod libertates et consuetudines illas nec clamari nec observari ad presens facias occasione illius inquisicionis Sciturus eciam quod in voluntate non habemus consuetudines malas levari vel observari facere in regno nostro set eandem inquisicionem et nomina inquisitorum nobis scire facias apud Westm' in octabis Sancte Trinitatis distincte et aperte per quos inquisicio illa facta fuerit et habeas ibi hoc breve et aliud breve Teste H. etc. apud Westm' ix die Aprilis.*

9 April 1223.

Eodem modo scribitur omnibus vicecomitibus Anglie.

In the previous year (1222) an aid, very urgently needed for the Holy Land, was granted in a general council at Westminster by the common will of all present, including the archbishop of *Canterbury*, bishops, earls, barons, and magnates. This took the form of a poll-tax; and the king's writ concerning it, addressed to all the sheriffs in England, was dated at Westminster 25 June[2] in the sixth year of his reign (1222). For some reason the project was not carried into execution at once; and therefore, five months afterwards, it was provided anew and granted (*de novo provisum est et concessum*) in another general council, at which were again present the king, prelates and barons, that the tax should now be assessed and collected. The terms before used were repeated in very nearly the same words, and directed to the several sheriffs with a new date, as here follows in detail.

25 June 1222.

24 Nov. 1222.

The contribution in aid of the Holy Land was to be made to the king of *Jerusalem*, and thus gradated. Every earl to pay three marks; a baron, one mark; a knight, twelve-pence; every cultivator of land[3] (*quilibet terram excolens*), one penny; every one having no land, but chattels to the value of half a mark (6*s.* 8*d.*), as well within as without cities and boroughs, also one penny—whosoever wished to give more was bidden to do so in the name of the Lord—all those being excepted who held only of religious houses or ecclesiastical persons. This tax to be assessed in every town

Aid for the Holy Land.

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[1] Printed in *Rot. Litt. Claus.* i. 569 a.

[2] Printed in *Rot. Litt. Claus.* i. 516 b.

[3] In the former writ the words are:—*quilibet libere tenens j. d. et quilibet qui terram non habet et catalla habeat ad valenciam dimid' marc' similiter j. den.* [*Rot. Litt. Claus.* i. 516 b.]

before (*infra*) the feast of S. *Thomas*[1] the Apostle in the seventh year (21 Dec. 1222) by two honest and lawful men and the serjeant, or serjeants (if more lords in that town), and collected before (*infra*) the feast of S. *Hilary* following (13 January 1222–3). The money from every town to be laid up in every county in a house of the Temple, or Hospital (if there be no *Templars'* house in that county), in a bag by itself sealed, with the sum written inside the bag and again on the outside, with the name of the town. Then the money to be conveyed to London within 15 days after (27 Jan. 1222–3) by a *Templar*, or *Hospitaller*, of the house in which it had been meanwhile kept; and the sheriff of the county to give assistance and safe conduct for conveying the money to London, where it was to be deposited in the house of the New Temple by the view of those assigned by the magnates for this purpose, that they might know what and how much issued out of every one's land, and the sum of the aid throughout the kingdom. Every sheriff was ordered to do all in his power towards the assessment, collection of the tax (power of distraint being given if necessary), and its safe conduct to London. Dated at Westminster, 24 November 1222.

A similar order, and of the same date, was given to the bailiffs of cities and boroughs, among which LANCASTER is included; a proviso being added that the money was to be placed in some religious house in any town, if no *Templars* or *Hospitallers* existed there, and taken thence to London by some member of such house, under the safe conduct of the sheriff, and with other detail as above laid down. [*Close Roll*,[2] 7 *Hen.* III. *part* 1, *m.* 27 dorso.]

Tyrrell alludes (*History of England*, ii. 845) to this "Poll-Tax," as recorded by *Walter* of *Coventry*, and, after specifying the details, remarks—"I take the more notice of this, because it is mention'd in no other author." He should have cited—not that writer but—the *Annals of Waverley*,[3] as the sole chronicler of this aid for the Holy Land in the following passage, which will be seen to agree exactly with the records above cited:—

M.CC.xxii.

Hoc anno concessit rex Henricus de tota Anglia per consilium domini S. Cantuar' archiepiscopi et aliorum magnatum terre in subsidium Terre Sancte adquirende de quolibet comite iii. marcas de quolibet barone i. marcam de quolibet milite xii. denarios de quolibet libero homine[4] *i. denarium de quolibet homine habente catallum ad valentiam dimid'*

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[1] The former arrangement was for the assessment to be made before 1 August, the collection on Michaelmas day, and the delivery of the money in London not later than the feast of *All Saints* (1 Nov. 1222).

[2] Printed in *Rot. Litt. Claus.* i. 567 a, b.

[3] *Annales Monastici* (ed. Luard), ii. 296.

[4] The writer is evidently quoting from the earlier writ of 25 June 1222.

marc' j. denarium Set concessio ista parum aut nichil profuit quia cito postea contradictum est et ad effectum minime perductum. [*Cotton MS.* Vespasian A. xvi. f. 113.]

Returning to the Fifteenth, attention may be called to what *Carte*[1] has somewhat too hastily asserted :—

"It was still apprehended, that the sum proposed to be raised by the fifteenth would not be equal to the charge of the great armament, for Guienne: and an order was issued for all laymen of full age, that held a knight's fee, and had not yet been knighted, to come, under pain of forfeiting their lands, and receive knighthood before the close of Easter."

It happens, however, that the order in question was made 16 Nov. 1224, three months *before* the Fifteenth was granted, and could in no way, therefore, be the supplement to a tax which had then not even been projected. The writ, referred to by the historian and addressed to all the sheriffs, runs thus :—

16 Nov. 1224. De militibus faciendis } *Rex vicecomiti Lancastr' salutem Precipimus tibi quod sine dilacione clamari facias per totam Bailliam tuam quod unusquisque laicus plene etatis qui feodum unius militis vel plus tenet in Baillia tua et miles non est quod arma capiat et se militem fieri faciat citra clausum*[2] *Pascha anno ix° sicut feodum vel feoda sua que tenet diligit. Teste ut supra* [i.e. *rege apud Westm' xvi die Novembris*]. [*Close Roll*,[3] 9 *Hen.* III. *part* 1, *m.* 17 dorso.]

Not only the tenants of the king *in capite*, but also those who held under them were in like manner compelled to come and take knighthood. In proof whereof take the following from the *Close Roll*[4] (11 *Hen.* III. *m.* 18) :—

20 Feb. 1226–7. De militibus faciendis } *Mandatum est vicecomiti Ebor' quod distringat omnes illos in baillia sua qui tenent de W. comite Albemarlie per servicium militare et plene etatis sunt quod circa clausum Pascha anno regni nostri xi° arma capiant et se milites fieri faciant. Teste ut supra* [i.e. *rege apud Westm' xx die Februarii anno regni nostri xi°*].

These entries throw a strange light on the "age of chivalry." It is a general and popular belief that in those early days some act of personal valour, or at least some experience in the field, was needed before an aspirant to military honour could win his spurs. If we are to believe the records before us, no other qualification was needed than to hold one or more knight's fees of the king in chief. Nay, to be a tenant of the king's tenant entailed, as we have seen, the same obligation which after all was only a device adopted by *Henry* to raise money, of which throughout his long reign he always stood greatly in want. Whether

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[1] *A General History of England*, ii. 29.
[2] 6 April 1225. [3] Printed in *Rot. Litt. Claus.* ii. 69 b.
[4] Printed in *Rot. Litt. Claus.* ii. 172 a.

his tenant did or did not accept knighthood, there was always a fine to be paid. Any reluctance led only to a temporary respite which in its turn was an excuse for exacting a money payment.

Such respites are frequently inrolled in some such form as follows:—

De respectu militie } *Dominus rex dedit respectum Hugoni de Chastillun de se milite faciendo usque ad festum Sancti Michaelis proximo futurum et mandatum est Galfrido de Say quod eum non distringat ad se militem faciendum citra terminum illum. Teste ut supra* [i.e. *rege apud Westm' iiij die Maii anno regni nostri nono*] 4 May 1225.

Mandatum est vicecomiti Buk' quod occasione precepti quod dominus rex fecit de omnibus illis militibus faciendis ante Pasch' Clausum anno etc. nono qui feodum j. militis vel plus tenent in ballia sua non distringat Hugonem de Chastillun ad se militem faciendum citra festum Sancti Michaelis anno eodem quia usque terminum illum ei respectum inde concessit. Teste ut supra. [*Close Roll*,[1] 9 *Hen.* III. *part* 2, *m.* 14.]

Similar respite is given (8 April 1225) to *William* de *Stafford* and *Geoffrey Lestraunge.*

In 1254 the names of those who held lands of £20 yearly value in the several counties were returned under the following circumstances. While the king was in Gascony, whither he had gone in the preceding August, he issued his writ to all the sheriffs in England, tested 11 February in his 38th year (1253–4) by the queen and *Richard* earl of *Cornwall*, at Windsor.[2] Reciting that, whereas the earls, barons and other magnates had promised to be at London in three weeks from Easter-day, ready and well-equipped with horses and arms to go to Portsmouth, and there embark for Gascony in order to assist him against the threatened invasion of that country in the ensuing summer by the king of *Castile*, and every sheriff had been commanded to distrain for the same all those in his bailiwick who held lands of £20 yearly value of himself *in capite*, or of those under age and in ward to the crown; the king now further ordered that, beside all these, the sheriff should cause to come before the council, at Westminster in the quinzaine of Easter, two knights of his county, who should be elected as representing all its inhabitants, in order to provide, together with other knights similarly summoned for this purpose, what aid should be granted to the king in his necessity. The sheriff was further enjoined to explain the matter fully, so that the two knights elected might answer to the council for every person in their own county concerning the proposed aid.

Paris records (ed. Luard, v. 440) the failure of the application for money, because the barons discovered that the king's statements were absolutely false. Although *Henry* pretended to be in danger, he had come to an agreement with *Alfonso*, who not long after (22 April 1254) released by charter all his rights in Gascony to the king of *England* and

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[1] Printed in *Rot. Litt. Claus.* ii. 36 a.

[2] *Close Roll*, 38 *Hen.* III. *m.* 13 dorso.

Edward his son,[1] and gave to the latter in marriage *Eleanor*, his half sister, daughter of *Ferdinand* III. king of *Castile* by his second wife, *Jane* countess of *Ponthieu*.[2]

The sheriff of *Lancashire* made his return in answer to the king's writ, as follows:—

LANCASTER'.

Nomina[3] eorum qui tenent viginti libratas terræ in capite de domino rege in comitatu Lanc'.

¶ Will'm's le Butiler
¶ Robertus de Stokeport
¶ Will'm's de Clifton'
¶ Johannes filius Galfridi tenet terram Theobaldi le Butiler in com. Lanc' qui est in custodia.
¶ Ben[edictus] Gerneht.

[*Cotton MS.* Claudius C. ii. fol. 17 b.]

Two years later the royal net took a wider sweep, and enmeshed for knighthood all those throughout England who held lands to the yearly value of £15. The king's writ[4] complains of having many times (*Cum pluries tibi preceperimus*) commanded the sheriff (of such a county) that he should distrain all those in his bailiwick who have £15 of lands, and hold by knight's service (no matter of whom), and are not knights, to get themselves made knights, or to fine with the king for having respite of the same. The names of all such persons with the quantity of land each one of them holds, and its yearly value, are to be returned. Manifest negligence has been shown herein, because so few come forward in order to gain such respite. The sheriff of every county in England is now, therefore, strictly enjoined to execute the king's commands without delay, so that the names of all those who hold land to the yearly value of £15 or more by knight's service may be returned in writing before the coming feast of the Assumption B. V. M. (15 Aug. 1256). Witness the king at Bristol 15 July in the 40th year of his reign (1256).

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[1] *Fœdera*, i. 300. *Edward* was then nearly fifteen years old, having been born at Westminster on the 17th (*Paris*, ed. Luard, iii. 539) or 18th (*Annales Monastici*, i. 112, 257; ii. 88, 121, &c.) of June in the year 1239, and named after *Edward* the Confessor. He was knighted at Burgos 30 Dec. 1254 by *Alfonso*. [See *Add. Charter* 24,804.]

[2] *Carte*, ii. 102. See also *Fœdera*, i. 304, 306, 310.

[3] I have not succeeded in discovering the original return, and so content myself with quoting the manuscript, which is written in the beautifully neat hand of *Robert Glover*, Somerset Herald.

[4] See *Cotton MS.* Claudius C. ii. fol. 25, for copies of this writ and of the returns made.

This is the answer of the sheriff of *Lancashire* :—

Nobili viro[1] et discreto ac domino si placet reverendo domino H. de Weyngeham cancellario domini regis suus in omnibus devotus P.[2] de Ulnesby[3] vicecomes Lancastr' salutem et paratam ad obsequia voluntatem Dominationi vestre notificetur me mandatum domini regis suscepisse quod omnes de balliva mea qui habent quindecim libratas terre et amplius et tenent per servicium militare de quibuscunque teneant et milites non sunt destringerem ad se milites faciendos vel ad finem cum domino rege faciendum pro respectu habendo de milicia sua etc. Hinc est quod nomina eorum una cum valore terrarum suarum qui xv libratas terre et plus habent ut predictum est de balliva mea per latorem presencium vobis inscriptis transmitto videlicet Nomen Roberti Banastre qui xl libratas terre habet et plus Will'i le Molineus qui xv libratas terre habet et plus Petri de Burnhul qui xv habet ut dicitur Johannis de Hacomshow qui xx libratas habet et plus Benedicti Gernet qui xx libratas terre habet et plus Walteri de Lindeshey qui tenet de domino rege in capite in baronia Alani de Coupland qui xx habet et plus Johannis de Kirkeby qui xx libratas terre habet et plus Unde omnes isti destringuntur ad se milites faciendos in balliva mea Quare dominationem vestram exoro quatenus si placet super hiis et aliis voluntatem vestram mihi significare dignemini Valeat dominatio vestra.

Nor were these mere idle threats, which were not intended to be carried out to their due end. *Brady* mentions[4] an illustrative case, in every way remarkable, considering the rank of the person concerned. After stating that *Roger* de *Sumery* had in 29 *Hen.* III. one and fifty Knights' Fees, he adds :—

"In the Seventeenth of the same King, all his Lands in *Worcestershire* were seized, for neglecting upon Summons to take the Honor of Knighthood."

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[1] *Tower. Misc. Rolls*, 19, *m.* 11 (13); *Cotton MS.* Claudius C. ii. f. 31.

[2] This initial is indistinct. I was disposed to read it "H," but the sheriff's name is *Patricius* on the Pipe Roll. [Record Society, vii. 145.]

[3] Or *Ulvesby*. You have Ulneswalton as now written, but formerly—sometimes, at all events—Ulveswalton.

[4] *Introduction to the Old English History*, 36.

This statement as to the seizure of the lands is borne out by an entry (12 Aug. 1233) on the *Close Roll* of this year (17 *Hen.* III. *m.* 6):—

Pro Rogero de Sumery — *Mandatum* [*est*] *Waltero de Bello campo quod ex quo Rogerus de Sumery liberaverit ei in obsidem filium et heredem Sim' de Frankel' vel filium et heredem alterius militis sui qui de eo teneat de quo constet quod filius ejus sit omnes terras ipsius Rogeri quas per preceptum regis in manum regis cep*[*it*] *ei reddat cum bladis et omnibus aliis in ipsis terris inventis Teste ut supra* [i.e. *rege apud Ottinton' xij die Augusti*].

Sometimes the sheriff in his officious zeal proceeded to the length of distraining for knighthood a clerk in holy orders. An instance of this kind occurs in a *Patent Roll* of this reign (40 *Hen.* III. *m.* 6), which is made in consequence the subject of a special order by the king:—

Pro Will'o Gereberti — *Rex omnibus etc. salutem Quia Will's Gereberti clericus est in sacris ordinibus constitutus nos ad instanciam Galfr'i de Cauz constabularii Bristoll' concessimus ei quod ad arma militaria capienda decetero non distringatur In cujus etc. Teste rege apud Bristoll' xvj die Julii* [1256].

This digression may be closed with a mandate concerning "necessaries" for knighting to be sent to the king at Marlborough:—

De necessariis ad militem faciendum — *Mandatum est Will'o de Plessetis quod sine dilacione mittat regi contra instans festum Nativitatis beate Marie usque Merleberge unam robam de serico duas robas de panno capam lectum et alia necessaria ad unum militem faciendum. Teste ut supra* [i.e. *rege apud Merleberge iiij die Septembris*]. [*Close Roll*, 32 *Hen.* III. *m.* 3.]

A Fortieth[1] of Moveable Goods

(*)

A° 16° Hen. III. 14 Sept. 1232.

In a Great Council, holden at Lambeth on the feast of the Exaltation of the Holy Cross in the sixteenth year of the reign (14 Sept. 1232), the archbishops, bishops, abbots, priors and clergy having lands not appertaining to their

[1] No documents found for LANCASHIRE.

churches, earls, barons, knights, free men and villains[1] of the realm (*liberi homines et villani de regno nostro*) granted to the king a FORTIETH part of their moveable goods, in aid towards payment of the debt which he had contracted to the Duke of Britany.[2]

According to *Matthew Paris* (ed. Luard, iii. 121), the king spent Christmas of the year 1226—the historian's 1227—at Reading, whence he came to London. Having called a council at Oxford in the month of February following (1226–7), *Henry* openly declared himself to be of full age, and announced that, being rid of a guardian,[3] he should henceforth manage his affairs in person. At the same time he cancelled and quashed all Charters of the Forest in the several counties, after they had been in use throughout the kingdom for two years; on the pretence that those charters had been granted, and the liberties written and sealed, when he was a minor and had no power over himself or his seal. Thereupon great murmuring arose, and all believed that the justiciar was the real author of this disturbance. Further, it was announced that all, who wished to enjoy the liberties heretofore granted to them, must have them renewed under the new royal seal, because the king deemed their ancient charters to be of no effect. For which renewal fines were exacted, not according to the ability of the grantees; but, whatever sum was imposed by the justiciar, that they were compelled to pay. So *Paris;* but again he is not strictly accurate as to the movements of the king, which (as before) can be gathered with certainty from the Chancery rolls. *Henry* was at Reading from 24 to 26 December. On the latter day he went to Wallingford, where he remained till 30 December. The last day of the year he was at Oxford, then at Woodstock from 1 to 7 January inclusive, next at Oxford from the 8th to the 10th. Then he returned by Wallingford and Reading to Windsor, which he reached 13 January and where he was on the following day (14), but at Westminster on 15 January. Here he remained uninterruptedly up to 20 February, if not later. Next, the king is found at Canterbury 26 February, and at Rochester 3, 4, 5 and 8 March; from which point his journeying need not be pursued.

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[1] In the king's recital (*Close Roll*, 21 *Hen.* III. *m.* 7 dorso) of the Thirtieth (p. 48), granted 20 January 1236–7, the words are—*milites et liberi homines pro se et suis villanis.*

[2] So *Paris*, who calls him "count" (*comiti*), in *Chronica Majora* (ed. Luard), iii. 224. *Peter* de *Dreux* was at this time duke of *Britany* and earl of *Richmond.* He was so styled by the king, when he wrote (11 Jan. 1232–3) *dilecto et fideli suo P. duci Britann' et comiti Richem'*, asking for a loan of £200. [*Patent Roll*, 17 *Hen.* III. *m.* 7.]

[3] He first had (as before stated, p. 5) *William Mareschal* as his guardian, or governor; and after his death (which happened in 1219), *Peter des Roches* (de Rupibus) bishop of *Winchester.*

Itinerary of Henry III.

Figure 1 = *Close Roll.*
„ 2 = *Fine Roll.*
„ 3 = *Patent Roll.*

The Text letters, 𝔇, ℭ, denote *Sunday* in the respective years.

December *A.D.* 1226.

𝔇 20	Westminster	1, 2
21	Westminster	1, 3
22	Westminster	3
23	Windsor	1, 2
24	Reading	1
25	Reading	1, 2, 3
26	Reading	1
	Wallingford	1, 2
𝔇 27	Wallingford	1
28		
29	Wallingford	1, 2, 3
30	Wallingford	3
31	Oxford	1, 3

January *A.D.* 1226–7.

1	Woodstock	1, 3
2		
ℭ 3	Woodstock	1
4	Woodstock	3
5	Woodstock	1, 2, 3
6	Woodstock	1, 2, 3
7	Woodstock	1, 3
8	Oxford	1, 2
9	Oxford	1, 3
ℭ 10	Oxford	1, 2, 3
11	Wallingford	1, 2
	Reading	2, 3
12	Reading	1, 2, 3
13	Reading	1, 3
	Windsor	1
14	Windsor	1
15	Westminster	1
16		
ℭ 17	Westminster	1, 2
18	Westminster	1, 2, 3
19	Westminster	1
20	Westminster	1, 2, 3
21	Westminster	1

January *A.D.* 1226–7.

22	Westminster	3
23		
ℭ 24	Westminster	1, 2
25	Westminster	1
26	Westminster	2, 3
27	Westminster	1, 3
28	Westminster	1, 2
29		
30	Westminster	1, 2
ℭ 31	Westminster	2

February *A.D.* 1226–7.

1	Westminster	1, 2, 3
2	Westminster	1
3	Westminster	1
4	Westminster	1, 2, 3
5	Westminster	1
6	Westminster	1
ℭ 7		
8	Westminster	1
9	Westminster	1, 2, 3
10	Westminster	1
11	Westminster	1
12	Westminster	1
13	Westminster	3
ℭ 14	Westminster	1
15	Westminster	1
16	Westminster	1
17	Westminster	1
18	Westminster	1
19	Westminster	1
20	Westminster	1
ℭ 21		
22		
23		
24		
25		
26	Canterbury	3

The *Annals* of *Worcester* and of *Tewkesbury*, in words of suspicious resemblance, and reading like the account of one writer only, say that the king put off his guardian on Saturday after the Epiphany[1] (9 Jan.), on which day we see that he was at Oxford. So the general council recorded by *Paris* must have been held there[2] in this month, and not in February. To pass from this point to the other—that *Henry* pronounced himself of full age. Whatever may have been the extent of this assumption, as a cover for his arbitrary acts so soon to follow after throwing off all semblance of the control under which he had hitherto lived, there is undeniable evidence that grants of markets and fairs were made to certain religious houses at this very time, in terms which expressly restricted their being held up to the full age of the king (*usque ad etatem domini regis*); and, by a coincidence, one of these grants was tested at Oxford, the very place where *Henry* is alleged to have proclaimed his majority.

De feria habenda — *Prior*[3] *de Snelleshal' habet usque ad etatem domini regis unam feriam apud prioratum de Snelleshal' duraturam in vigilia et in die Sancte Marie Magdalene nisi etc. Teste ut supra* [i.e. *rege apud Westm' xxix die Novembris*]. — 29 Nov. 1226.

De mercato — *Abbas*[3] *Westm' habet usque ad etatem domini regis unum mercatum apud manerium suum de Morton' singulis septimanis per diem Veneris de concessione domini regis Et mandatum est vicecomiti Glouc' etc. Teste rege apud Westm' j die Decembris.* — 1 Dec 1226.

De mercato habendo — *Prior*[3] *de Wudebrige habet usque ad etatem domini regis unum mercatum apud Wudebrige manerium suum singulis septimanis per diem Mercurii nisi etc. Et mandatum est vicecomiti Suff' etc. Teste ut supra* [i.e. *rege apud Westm' j die Decembris*]. — 1 Dec. 1226.

Pro abbate Westm' — *Dominus*[3] *rex concessit abbati Westm' quod mercatum quoa ei prius concessum fuit tenendum usque ad etatem domini regis apud manerium suum de Morton' singulis septimanis per diem Veneris de cetero teneatur ibidem per diem Martis nisi etc. Et mandatum est vicecomiti Glouc' etc. Teste rege apud Oxon' viij die Januarii.* — 8 Jan. 1226–7.

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[1] *Annales Monastici* (ed. Luard), i. 69; iv. 419.

[2] The subject is again mentioned by *Paris* later in the year (1227) when, a quarrel having arisen between *Henry* and his brother *Richard*, the latter was joined at Stamford by many great earls, who (among other things) insisted upon the king's restoring without delay the charters of the forest which he had lately cancelled at Oxford—"*ut cartas, quas nuper apud Oxoniam cancellaverat, de libertatibus forestæ sibi absque dilatione restitueret sigillatas.*" [*Chronica Majora* (ed. Luard), iii. 125.]

[3] Printed in *Rot. Litt. Claus.* ii. 159 b, 160 a, 165 a.

The form used in the instances above cited is similar to that employed in other grants of a similar kind, at a time when the king was undoubtedly yet a minor. Witness the following :—

27 Jan. 1222–3. Dereb' *Abbas de Cestr' dat unum palefridum*[1] *pro habendo uno mercato usque ad etatem domini regis apud manerium suum de Westm' singulis septimanis per diem Martis nisi sit ad nocumentum etc. Et mandatum est vicecomiti Dereby quod capiat securitatem etc. Teste H. etc. ut supra* [i.e. *apud Westm' xxvij die Januarii*]. [*Fine Roll*, 7 *Hen.* III. *part* 1, *m.* 9.]

12 Aug. 1225. Pro Osberto Giffard' *Dominus rex concessit Osberto Giffard' quod habeat usque ad etatem domini regis unum mercatum singulis septimanis per diem Veneris apud manerium suum de Wylton' et quod habeat ibidem singulis annis unam feriam per duos dies duraturam scilicet in vigilia Beati Petri ad vincula et ipso die Nisi mercatum illud vel feria etc. Et mandatum est vicecomiti Norf' quod mercatum illud et feriam predictam sicut predictum est clamari faciat et teneri sicut predictum est Teste rege apud Westm' xij die Augusti.* [*Close Roll*, 9 *Hen.* III. *part* 2, *m.* 5 ; printed in *Rot. Litt. Claus.* ii. 57 a.]

If *Henry* had power to declare himself of age, although not yet twenty-one years old, it is hard to understand the need for direct interference by pope *Gregory* the *Ninth* who, in a bull addressed to the earls, barons, and other the king's lieges, urged upon them, as an incentive to their obedience, the consideration, that what their ruler wanted in years he made up in discretion ; and that, consequently, he was no longer to be debarred from governing the realm and handling state affairs. The bishop of *Winchester*, *Hubert* de *Burgh* the justiciar, *William* de *Briwere* and the earl of *Chester* were ordered by other apostolic writings, not only to let *Henry* have free disposal of the kingdom, but themselves to give up without demur all lands and castles of which they had charge, and to procure from others the resignation in like manner of all other castles and lands held by them. The bishop-elect of *Chichester*, who had custody of the royal seal, was further enjoined by the pope to use it only at the king's will, while striving personally always to incline him to good by faithful counsel and sound advice. All these several instruments were dated at the Lateran on the Ides of April in the first year of the pontificate[2] (13 April 1227).

However much one may be disposed to rely upon the historian, it cannot be denied that the pope deserves fully as much credit, because contemporary, and more, a chief actor in the events related ; and yet he

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[1] *Madox* quotes entries from the *Pipe Rolls* (3 and 5 *Hen.* III.) of palfreys given—by the bishop of *Salisbury* (one), and by the abbot of *Burton-upon-Trent* (two)—for having markets up to the full age of the king. [*History of the Exchequer*, i. 415.]

[2] *Red Book of the Exchequer*, fol. 121. See Rymer's *Fœdera*, i. 190.

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writes, at a date two (if not three) months later than the council held at Oxford, in terms which expressly admit the then nonage of the king. The whole and sole motive of the papal letters is this. Although still a youth, if his years were counted, *Henry*'s mind had outstripped his age and was that of a grown man in foresight and discretion ; therefore his subjects were to exhibit towards him the same reverence and honour, and to render the same loyal and prompt obedience that would be his due, if of full age.

As the king so frequently found it convenient to plead minority, it may be well to record the exact date of his birth. There are few historical events that can be proved with such absolute certainty as this, although *Henry*'s age is occasionally mis-stated by a year.[1] The fact may be taken from the *Annals of Winchester*,[2] the city in which he was born :—

M.CC.vij. *Hoc anno assisa de terciodecimo facta est ad opus regis universaliter a clericis et laicis et per vim laicalem Electus Magister Steph' de Langeton' in archiepiscopum Cant' a monachis illius ecclesie et quia rex eorum eleccioni non concenciebat* etc.

H. rex iij. natus. *Hoc anno natus apud Wyntoniam Henricus filius regis Johannis de regina Isabella kal. Octobris vocatus nomine avi sui H[enricus]*. *Henry*, son of king *John*, born 1 Oct. 1207.

Thus also many other monastic[3] annals. *Paris* has with his own hand exactly particularized the date by adding to *Wendover*'s text the Sunday Letter (G), the Golden Number (XI), and the day of the week (Monday), in the following passage :—

Eodem anno in die sancti Remigii Isabel Anglorum regina peperit Johanni regi filium suum primogenitum et vocatus est nomine avi sui Henricus litera Dominicali existente G. luna vero XI. die Lune.[4]

All these—saint's-day, letter, number and week-day—answer, and answer only, to the first of October in the year 1207.

King *John* was hovering about Winchester all that summer, being there two days in June, six days in July, and five days in August, leaving on the 30th for Clarendon ; and, making a progress through the counties of Dorset, Somerset and Wilts, was back again at Winchester, in time to welcome the heir to the throne, on the 1st, 2nd and 3rd of October. Then, paying a flying visit to Lambeth and Westminster, by way of

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[1] *Sandford*, for instance, in his *Genealogical History*, &c. (ed. Stebbing), 87, says that he was "born at *Winchester* upon the Feast of St. *Remigius*, being the first Day of *October*, in the eighth Year of His Father's Reign, *An.* 1206."

[2] *Cotton MS.* Domitian A. xiii. fol. 42 *b.*; printed in *Annales Monastici* (ed. Luard), ii. 79, 80.

[3] See *Annales Monastici* (ed. Luard), i. 29 (*Margan*), 58 (*Tewkesbury*), 209 (*Burton*); ii. 259 (*Waverley*); iii. 29 (*Dunstaple*), 451 (*Bermondsey*); iv. 395 (*Worcester*).

[4] *Matth. Paris. Chronica Majora* (ed. Luard), ii. 520.

Marlborough, Malmesbury and Easton, back at Winchester on the 17th, 18th and 19th October.

Thirteenth A. D. 1206–7.

As the thirteenth exacted from laymen in 1207 has been alluded to above, passing notice may be taken of its origin and mode of assessment. In a general council, holden by prorogation at Oxford 9 Feb. 1206–7, an aid was granted to the king for the defence of the kingdom, and towards the recovery of Normandy and other his lands by inheritance.[1] The method of collecting this thirteenth is laid down in the king's letters patent. Every layman to give 12-pence out of every mark's (13*s.* 4*d.*) worth of annual rent, or out of such moveable chattels of like value as he had on the Octaves of the Purification (9 February), being the date of the council. Every man—except earls and barons, for whom their stewards and bailiffs are to be sworn—to swear concerning his own rents and chattels. Any one convicted of avoiding the tax by fraudulently removing his chattels, concealing them anywhere, putting them in the hands of another person, or appraising them below their real value, to forfeit the whole, and his body to be committed to prison. Every hundred and every parish to be set down separately, so that every township may be answered by itself. When the justices deputed by the king for any county have assessed that aid in every hundred, city or town, they shall cause all the particulars to be transcribed from their rolls, and delivered to the sheriff for collection fortnightly (*per terminum quindene in quindenam*), the justices keeping the rolls safely by them until they carry them to the king. All concerned in this business shall swear to discharge it faithfully to the utmost of their power in every thing as appointed. Dated at Northampton[2] 17 February 1206–7.

17 Feb. 1206–7.

The statement as to the compulsory renewal at this time of all charters granted by previous kings, is corroborated by the *Fine* and *Close Rolls* of this year (11 *Hen.* III.), which record sums of money paid for this purpose by religious men and others. Among these the abbot of *Furness* paid a fine of 400 marks ; and, of towns in Lancashire, the men of *Lancaster* fined with the king in five marks, and the men of *Preston* in five pounds ; that they might respectively continue to enjoy the liberties granted to them by the king's predecessors.

In February and March 1226–7 such entries are frequent.[3] The *Templars* and *Hospitallers* obtained their confirmation 17 February ; the priors of *Coventry* and *Dunstable* 17 and 20 February; the abbots of *Cokersand* and *Furness*, 16 March ; the abbot and monks of *Vaudey* (de Valle Dei) 18 March ; and so on.

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[1] The words in the *Patent Roll* (8 *John*, *m.* 3 dorso) are "*ad defensionem regni nostri et recuperacionem juris nostri.*" The *Annals of Waverley* (f. 93) declare the object to be "*ad recuperandam hereditatem suam in Normannia et in aliis terris suis.*" [*Ann. Mon.* (ed. Luard), ii. 258.]

[2] *Rot. Litt. Pat.* i. 72 b.

[3] *Rot. Litt. Claus.* ii. 171–176.

The following extract from the *Pipe Roll* (11 *Hen.* III. Rot. 1) shows what is entered of this kind under Lancashire.

LANKASTR'

[*Rot.* 1, *membr.* 1]

Will' Com' de Ferar' Gerard[s] de Etewell' ut Custos pro eo reddit compotum de C. et lxxiiij. li. et vij. s. et iiij. d. ob. numero de firma honoris de Lankastr'.

In thesauro nichil.

Et in terris datis Rob' filio Rob' Salvag' ix. li. in Steinebi Et Will'o de Gresel' iiij. li. et xvj. s. in Drakelawe Et Will'o marescall' xxxij. li. in Kertmel Et Ric' *etc.*

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[*Rot.* 1, *membr.* 2]

NOVA OBLATA.

Rogerus[1] de Culchit r. comp. de dim. m. pro habendo pone de tenemento in Bedeford'.

In th. lib. Et quietus est.

Will' de Lauton r. comp. de dim. m. pro habendo pone de consuetud'. In th. lib. Et quietus est.

Tom' de Gersingham r. comp. de x. m. pro habend' custodia et maritagio Cristiane filie et heredis Alic' fil' Galfr' quondam in[2] ux' ipsius Tom'.

In th. vij. m. Et deb. iij. m.

Abbas[3] de Furneis r. comp. de CCCC. m. pro habenda confirmatione Regis de carta Stephani quondam Comitis

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[1] This and the following receipt are thus entered on the *Fine Roll*, 11 *Hen.* III. *part* 1, *m.* 11:—

Lanc' *Rogerus de Culchit dat domino regi dimidiam marcam pro habendo quodam pone coram justiciariis ad primam assisam etc. contra Will' de Bedef' de ten' in Bedef' Et mandatum est vicecomiti Lanc' etc. Teste rege apud Westm' xxx die Decembris.*

Lanc' *Will's de Lauton' dat dimidiam marcam pro habendo quodam pone contra Robertum Banastre de consuetudinibus et serviciis de tenem' in Lauton' et mandatum est vicecomiti Lanc' quod capiat etc.*

[2] The word "in" is superfluous. The context requires "*quondam uxoris ipsius Tome.*"

[3] See *Fine Roll*, 11 *Hen.* III. *part* 1, *m.* 8.

Moriton' et Bolon' per quam dedit ei et concessit totam forestam de Furneis et pro habenda confirmacione cartarum H. Regis et Regis Ric' et Regis J. de terris nominatis in cartis suis et pro habend' homagio et servicio[1] Mich' le Flemeng' de terra quam tenuit de Rege infra Furneis per x. li. per annum Ita quod idem Mich' et heredes sui inperpetuum intendentes sint et respondentes abbati et successoribus suis de homagio et servicio quod idem Mich' Regi facere consuevit Et de redditu predictarum x. librarum quas quidem x. libras predictus abbas et successores sui reddent per annum ad scaccarium ad festum S. Mich' sicut continetur in carta quam inde habet. In th. CC. et l. m. Et deb. C. li.

Homines[2] de Lankastr' r. comp. de v. m. pro habenda confirmatione Regis J. de libertatibus suis quas Burgenses Norhamt' habuerunt die quo Rex H. avus Regis obiit et pro habenda confirmatione de pastura foreste Regis et aliis libertatibus sicut plenius continetur in carta sua quam inde habent. In th. lib. Et quieti sunt.

Homines[2] de Preston' r. comp. de C. s. pro habenda confirmatione cartarum H. Regis avi Regis de libertatibus et

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[1] The king, being some years after given to understand that he had been deceived in granting the homage and service of this *Michael*, ordered the sheriff of *Lancashire* to cause inquiry to be made. An inquisition was accordingly taken by the oaths of *Richard* de *Coplaunde*, *Matthew* de *Redeman*, *Geoffrey* Balistarius with fifteen others, and entered on the *Assize Roll*, Mich. 30–31 *Hen.* III., for Lancashire. Here also, after an *Inspeximus* by the king of sundry grants made by his predecessors to the abbot and convent of *Furness*, is inrolled the following charter, which (so far as I can discover) is not to be found elsewhere :—

[*Assize Roll* M 3 / 1 } 1. *m.* 15.]

Carta H[enrici] r[egis] senis.

H. Dei gracia etc. Justiciariis Baronibus vicecomitibus et omnibus Ministris tocius Anglie Normannie et Portuum maris et nominatim Prepositis de Hampton' et de Hasting' et de Dovor' et de Barbeflet et de Kain et de Ostreham et de Diopa salutem. Precipio quod homines et equi et omnes res Abbacie de Furnais et Monachorum ibidem Deo serviencium sint quieti de Theoloneo et de Passagiis et Puntagiis et omni alia Consuetudine quecumque venerit et nullus eos injuste vexet vel disturbet super decem libris forisfacture. T. etc.

[2] See *Fine Roll*, 11 *Hen.* III. *part* 1, *m.* 8.

liberis consuetudinibus quas dictus H. eis dedit et quod habeant theloneum Wapentaci de Aumundernes et nundinas suas apud Preston' et quod habeant pasturam suam que vocatur Fulewude sicut plenius continetur in carta sua. In th. lib. Et quieti sunt.

Walterus[1] de Parles r. comp. de iij. m. pro habenda confirmatione Regis J. de terra quam idem Rex dedit Hug' fil' Eiward' in Pulton' cujus filiam et heredem predictus Walterus habet reddendo inde per annum ad scaccarium xv. solidos. In th. ij. m. Et deb. j. m.

Rob' Greslei v. m. pro falso clamore qui requirebatur in Lincoll' in itinere M. de Patishull' et sociorum ejus.[2]

Coming at last to the tax which gives the title to this section, there was held at Lambeth[3] in the year 1232 and, according to *Matthew Paris*,[4] on the feast of the Exaltation of the Holy Cross (14 Sept.), a general council, at which were present with the king the prelates and magnates. This must have been a representative assembly, for the words of the king are precise and definite. In his letters,[5] dated at Westminster the 28th of September 1232, and addressed severally to the collectors of the tax, sheriffs, knights and other his lieges in various counties, it is plainly stated that the archbishops, bishops, abbots, priors and clergy (having lands not appertaining to their churches), the earls, barons, knights, free men and villains of the realm granted in aid to the king a fortieth part of their moveable goods, as existing on the morrow of the feast of S. Matthew the Apostle in the 16th year of his reign (22 Sept. 1232). These were defined to be ; corn, ploughs, sheep, cows, swine, breeds of horses (*haraciis*), carthorses[6] deputed for wainages in manors : EXCEPT goods which the archbishops, bishops and other ecclesiastics had from parish churches appropriated to themselves, and from prebendal churches and prebends, and from lands belonging to prebends and parish churches.

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[1] See *Fine Roll*, 11 *Hen.* III. *part* 1, *m.* 7.

[2] Next follow on the roll the several Accounts of Tallage, printed on a later page (107).

[3] *Hody* explains Lambeth to be "*Kenington*, the King's Mansion-House at *Lambeth*." [*History of Councils*, &c. 309.]

[4] *Chronica Majora* (ed. Luard), iii. 223.

[5] *Ibid.* iii. 230. *Stevens* gives a translation from the text of *Paris* in *An Historical Account of all Taxes* (ed. 1733), 53. See Rymer's *Fœdera*, i. 207.

[6] The word "et" appears in the text of the letters as given by *Paris*—"equis caretariis *et* deputatis" &c. This is not found by the inrolment

The form of assessment and collection was laid down in this wise:— Of every entire town (*de qualibet villa integra*) there shall be chosen four lawful men of the better sort (*quatuor de melioribus et legalioribus hominibus*) who, together with the reeve, shall on oath tax and assess every one upon the fortieth part of all his moveables in the presence of the knights assessors assigned for this purpose; and afterwards, the fortieth of moveable goods owned by these four and the reeve shall be inquired into and assessed by the oath of two lawful men of each town. It shall be distinctly and openly set down in whose barony and liberty every town is, and whether partly or entirely. After the Fortieth has been assessed and reduced to writing, a roll of all the particulars of every town and county shall be delivered to the steward (or attorney of the steward) of every baron, or bailiff of the liberty (where any one has a liberty), so that the baron or lord of the liberty may (if he will) collect the said Fortieth; with power to distrain for non-payment. If he will not or can not, then the sheriff shall make the distress, yet so that the latter receive nothing, and the whole Fortieth be delivered to the knights assessors in the largest and most secure town of every county. And for every town a tally of the sum shall be made between the baron's steward (or his attorney), or steward of the lord of the liberty, and the knights assessors: by whom last named the amount shall be then deposited in some safe place of such town, under their seals, locks and keys, and likewise under the seal, lock and key of the sheriff of the county.

Immediately after the Fortieth has been assessed, the assessors shall send to the Exchequer their rolls, showing their whole journey; and, in like manner, after collection, rolls of their receipt; the money remaining in the place of deposit, and waiting the king's mandate for its transfer to the New Temple, London. Nothing to be taken, in the name of the fortieth, from any one who has not moveable goods to the value of forty pence at least. The business to be begun at the latest in three weeks from Michaelmas-day (20 Oct. 1232), and continued from day to day until completed. Dated at Westminster 28 September in the 16th year of the reign (1232).

The knights assessors and collectors appointed for this Fortieth in Lancashire were *William Blundell* and *Geoffrey* Balistarius, who were ordered to lay up the money received in Lancaster castle. They were then to take it, under safe conduct of the sheriff of their county, to York for delivery to the sheriff there, with a transcript of the rolls containing particulars.[1] By another order the sheriff of *York* was directed to send the money to Nottingham, the constable of which town was commanded to receive the several sums collected in the counties of York, Lincoln, Northumberland, Cumberland, Westmoreland and Lancaster, and to deposit the whole in some safe place in Nottingham castle.[1]

(*Close Roll*, 16 *Hen.* III. *m.* 2 dorso) which reads—"equis carectariis deputatis ad wannagia in maneriis."

[1] *Close Roll*, 17 *Hen.* III. *m.* 12 dorso.

This tax produced the sum of 24,712 marks, 7*s.* 5*d.* or £16,475 0*s.* 9*d.*; as appears by the *Red Book of the Exchequer*, fol. 180, in these words:—

Summa xl^e anno regni regis ejusdem [*i.e.* Henrici filii regis Johannis] xvij.° xxiiij mil. DCCxij. mar. vij. s. v. d.

The amount collected from the several counties is detailed in the roll that was before quoted (p. 15) for the FIFTEENTH levied 9 Hen. III. The sum obtained in Lancashire is here set down at £252 10*s.* 4*d.*

Rotulus Quadragesime assise et concesse Regi[1] anno regni sui xvj.°

ESSEX'

Will' de Herlawe Sim' de Furnell' reddunt compotum de D. et quater xx. li. iij. s. et ij. d. et ob. de xl.^a Essex' exceptis terris Episcopi Lond' Marescall' Templar' et Hospital' et aliis Elemosinis. In thesauro D. et lxv. li. vij. s. et j. d. Et in quiet' terrarum monachorum Cisterciensis ordinis ix. li. iij. s. et iiij. d. per breve Regis. Et in quiet' terre prioris monasterii Cornuti Lvj. s. ix. d. et ob. per breve Regis. Et in manerio de Purlee quod fuit in manu Regis xij. s. et viij. d. Et debent xliij. s. et iiij. d. Iidem reddunt compotum de eodem debito. In th. lib. Et Quieti sunt.

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LANCASTR'

Will' Blundell' et socii sui reddunt compotum de CClij. li. x. s. iiij. d. de predicta xl.^a exceptis terris Templ' Hospital' Premonstratenc' ordinis de Simplingham. In th. nichil. Et Joh'i Mansell' ad liberaciones faciendas servientibus CCl. li. xv. s. v. d. et ob. per breve Regis. Et Galfr' Balistar' et soc' suis pro carianda predicta xl.^a usque Notingham xxxiiij. s. et x. d. per breve Regis. Et Quieti sunt.

[*Foreign Accounts*, *Roll* n° 1, *Ro.* 6.]

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[1] By the endorsement on the second of two membranes sewn together :—

"Rotulus de quadragesima assisa in Anglia et Regi H. concessa a° regni ejusdem sextodecimo."

Fortieth in aid of Jerusalem.

There was a Fortieth levied during the previous reign in the year 1200, or 1201; but that was a voluntary contribution rather than a tax. The disasters which had befallen the crusaders were dwelt upon with great minuteness, in a letter written by the Master of the *Hospital* in Jerusalem to the prior and brethren of the same order throughout England, and speedy relief in men and money was implored. The pope, hearing of these things, sent a cardinal to the kings of *France* and of *England*, requiring an aid from their territories for the relief of the land of Jerusalem; to which appeal both kings readily responded. *Geoffrey fitz Piers* earl of *Essex*, then justiciar of England, in a general letter[1] addressed to all the sheriffs within his jurisdiction, informs them that *John*, at the instance and preaching of a cardinal sent by the supreme pontiff into France, with the counsel of his magnates in parts beyond the sea, had granted towards the aid of Holy Jerusalem a fortieth part of the value of all his rents and lands for one year, from wards as well as escheats in his hands. The like portion his foreign magnates had voluntarily granted, and at their request the king had written to all his great men of England by letters patent, asking them out of a pure heart and the prompting of brotherly love (*puro corde et caritatis intuitu*) to grant the same from all their lands and rents for one year: such aid being demanded not as due, or of custom, or by compulsion, or on apostolic authority. All earls and barons of every bailiwick to be diligently admonished and induced to make the collection in their own lands; each giving a fortieth part of the value of any town of his, as it might be let to farm by the year. Tenants by knight's service to give a fortieth, and free tenants the same, reckoned on the yearly rent paid to their lords. The collection to be made by discreet and lawful men, the receivers then writing distinctly and openly, how much had been contributed, whether by earls, barons, knights or free tenants; adding the names of persons and places, with the sums received from the several towns, and to whom each town belongs. The amount obtained from the king's demesnes, wards, escheats and rents to be set down separately. Every clerk having a lay fee, or tenants under him, to contribute. In the case of crusaders, the money collected from their lands to be laid up apart from the other; the sum and the names being written down in order that those who take their journey shall promptly receive their money. The collections to be so made that every sheriff, together with the collectors, shall have the money at the New Temple, London, in 15 days from the feast of Saint Hilary (27 January), and the register stating the sums given with the names of the contributors and of the towns, particularizing how much from every town.

As the justiciar's letter is not dated, there is some uncertainty whether it should be assigned to the year 1200, or 1201.[2] The pope, on receipt of

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[1] *Roger de Hoveden* (ed. Stubbs), iv. 188.

[2] See *Chronica Majora* (ed. Luard), ii. 476, where the Fortieth is placed by *Paris* under 1201.

evil news from Palestine, had written at great length 27 Dec. 1199[1] to all prelates of the Universal Church, enjoining them to make their clergy of every degree provide a fortieth part of their revenues for a year in aid of the Holy Land; with further orders as to setting up alms-chests in churches for contributions of the faithful, the offering of special weekly masses, the equipment of crusaders and other details. *Innocent* III. again wrote[2] 5 May 1201, and this time specially to the English archbishops and bishops. After dilating on the necessity of increased efforts to forward a new crusade, he ordered them, as already commanded by his former letters, to exact, each in his own diocese, from all ecclesiastical revenues and from the whole clergy a fortieth in aid of the Holy Land; the amount collected being employed to that end without any diminution whatsoever. What was the result of the levy as regards laymen does not appear to be upon record. No patent roll of *John* exists[3] before his third year. There is then found a letter of that king—not dated, but enrolled between entries of 20 and 28 January 1201–2—addressed to the archbishop of *Rouen*. This prelate is reminded how in a general council it was determined that the fortieth collected in England for aiding the crusaders should be taken to Jerusalem by none others than hospitallers, templars, clerks and knights vowed to the cross who were *English*, so that the money should be only applied to the support of crusaders of the land in which it was collected; any surplus being employed as might seem expedient. But now the bishop of *Paris* and others having challenged for themselves some authority to dispose otherwise of the collection made, the king has appealed to the pope, and in the mean while firmly prohibits that the money shall be disposed otherwise than ordered. On the 21st of January 1201–2 *John*, then at Chinon, issued a circular letter[4] to all merchants, announcing that he was sending to the Court of Rome on his own affairs two messengers who were empowered to borrow to the amount of fifty marks, for which sum he engaged himself to answer on production of letters from them testifying the receipt of money so taken on his behalf. It is reasonable enough to infer that the special mission for which these loans were required and guaranteed related to the matter of this appeal now made to pope *Innocent* the Third.

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[1] *Hoveden* (ed Stubbs), iv. 108–112. [2] *Hoveden*, iv. 165–7.

[3] The earliest inrolled instrument of this class is one of 23 Sept. 1201; and Mr. (afterwards Sir *Thomas*) *Hardy* expresses his belief (*Rot. Litt. Pat.* Introd. iii.) that this patent roll of 3 *John* "is probably the first of that series ever made."

[4] Printed in *Rotuli Litterarum Patentium*, i. 5 a.

A Thirtieth of Moveable Goods

payable in moieties

1 Dec. 1237 and 31 May 1238.

130/1, 130/2
a° 21° Hen. III.
20 Jan. 1236–7.

Particulars of Account of a THIRTIETH part of moveable goods received in the county of LANCASTER, and granted to the king in a Great Council holden at Westminster on the Octave of Saint Hilary (20 January) in the 21st year of his reign.

[*Three membranes; formerly two, and part of the same Roll. One (the concluding) membrane is perfect; the other (which must have preceded it) is now in two dislocated portions.*]

¶ What exists is thoroughly legible, and (save a small portion that is somewhat injured and wanting) in good condition. The list of townships has a special value from preserving the ancient forms of place-names; and, for this reason, it has been used in a *Comparative Table of Townships*, &c. (see TABLE OF CONTENTS). By the endorsement, "Tricesima de La . ." on one of the membranes, and from the character of the writing, it is evident that the levy accounted for must have been that of 21 *Hen.* III., since there was but one Thirtieth assessed and collected in this reign.

Paris has written very candidly about the circumstances attending the great council, in which the king required a Thirtieth from the whole nation. *Henry*, having kept the Christmas[1] of his 21st year at Winchester, forthwith sent writings under his hand throughout England, ordering the prelates and barons to assemble at London in eight days after the feast of the Epiphany (13 January 1236–7), in order to treat with him on affairs touching the kingdom. Accordingly on the appointed day, being the feast of Saint *Hilary*, a vast multitude of nobles, representing the

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[1] *Chronica Majora* (ed. Luard), iii. 380.

entire realm, came to London,[1] under the impression that they had been summoned on imperial or other arduous business. They were speedily undeceived. When all had sat down in the palace at Westminster, *William* de *Ralegh*, a clerk of the king and one of the royal household, rose to state *Henry*'s purpose. The king (he said) promised that, whatever he had hitherto done, from that day forward he would listen only to the counsel of his own natural subjects. The keepers of his treasure having unfaithfully rendered an account of their receipts, he was now utterly destitute of money, a condition forlorn indeed for a king. He therefore begged of them an aid, but engaged that whatever sums were collected should be at the disposal of any chosen from themselves for this purpose, and should be expended only for uses needful to the realm. This demand being quite unexpected was received with grave murmurs, and the hearers indignantly replied that they had been already often aggrieved by futile promises, and by being made to pay now a twentieth, now a thirtieth, now a fiftieth;[2] and that it would be too unworthy and injurious for them to allow a king so easily led away, who never extended but rather contracted the bounds of his kingdom, to extort from them, as if they were serfs of the lowest condition, so much money and so often, only to employ it in fattening a horde of aliens. *Henry*, desiring to appease this general murmur, promised on oath that never more would he provoke or molest the nobles of the realm, if only now a Thirtieth part of moveables should be granted to him and paid. He urged this request, because but a little while before much money sent by him to the emperor for the marriage[3] of his sister, and expended in his own marriage, had emptied his treasury. To this it was answered that he had done all these things without the counsel of his own lieges; and they who had

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[1] "*Venit igitur die sancti Hylarii London' infinita nobilium multitudo, scilicet, regni totalis universitas.*" So *Paris*, but see below (note 1, p. 48), where the king himself states that the assembly took place a week later. Moreover, it is shown by the king's *teste* on the Chancery rolls that, having spent Christmas at Winchester, he was at Clarendon (near Salisbury) from 28 Dec. 1236 to 12 Jan. 1236–7; next at Werewell (13), Reading (15), Windsor (17 to 20), and then at Westminster 22 to 30 January, and at Kenynton 3 to 10 February inclusive (1236–7). [*Close*, *Patent*, *Charter*, and *Liberate Rolls*, 21 *Hen.* III.]

[2] These fractions are not to be taken literally. The only taxes of the kind, which had been imposed by *Henry* up to this time, were the two Fifteenths and one Fortieth, hereinbefore abundantly noticed. This was the only Thirtieth, and the Twentieth was levied much later in the reign, as seen below (p. 71).

[3] The total amount was thirty thousand marks (£20,000), paid in three several sums of ten thousand each. See the order of the king, made 28 June 1237, for the last payment "*triginta millium marcarum in quibus ei* [i.e. *Imperatori*] *tenebamur pro maritagio dilecte sororis nostre Romanorum Imperatricis.*" [*Fœdera*, i. 232]

been guiltless of the fault ought not to be made sharers of the penalty. The debate was prolonged for several days, and the king was compelled to yield or, at least, to appear to yield. As to the rumour that he had been seeking a bull from the pope to invalidate the charters already granted, he declared it to be false. On the contrary he promised from that time inviolably to observe the liberties of the great charter, and had the sentence formerly pronounced by the archbishop of *Canterbury* once more publicly renewed against all gainsayers and violators of the same, including himself. By this means he managed to pacify the general discontent; and, adding to the members of the council the earl of *Warenne*, *William* de *Ferrars* and *John fitzGeoffrey*, he made them swear that they would never swerve from the truth but give him sound and wholesome counsel. On these conditions, he asseverating yet again that in future he would give ear to his own subjects only, there was granted to the king, though not without great difficulty,[1] a thirtieth part of all moveables. But, knowing by experience his shuffling and evasive character, and how no reliance could be placed on any promises of his, ever so solemnly made, the prelates and barons required from the king a new charter under seal, reconfirming the Great Charter and Charter of the Forest, with express words added; that all liberties and free customs therein contained should be had and enjoyed by the people for ever, notwithstanding these two charters were made when he was under age.[2] His necessities giving him no choice but to submit, *Henry* executed the following charter,[3] which yet exists in a perfect state (though wanting the seal which it once had) among the *Cottonian* collection of manuscripts (Vespasian F. xiii. Art. 3, fol. 5 b.), and is here transcribed at length:—

Henricus Dei gracia rex Anglie dominus Hybernie dux Normannie et Aquitanie comes Andegavie omnibus Christi fidelibus presentem cartam inspecturis salutem Sciatis quod intuitu Dei et pro salute anime nostre et animarum antecessorum et heredum nostrorum et ad exaltationem sancte ecclesie et emendationem regni nostri concessimus et hac carta nostra confirmavimus archiepiscopis episcopis abbatibus prioribus comitibus baronibus militibus liberis hominibus et omnibus de regno nostro Anglie omnes libertates et liberas consuetudines contentas in cartis nostris quas eisdem fideli-

[1] "*concessa est ei non sine magna difficultate tricesima mobilium quam*" etc. [*Chronica Majora* (ed. Luard), iii. 411.]

[2] It will be remembered that the king was now in his thirtieth year, having been born as before shown (p. 35) on the first of October 1207.

[3] Printed (*The Great Charter*, 68) by *Blackstone* from an original in the Bodleian library. There is a very ancient copy well and boldly written in *Cotton MS.* Galba E. iv. 57; and an inrolment of the same on the *Charter Roll*, 21 *Hen.* III. *m.* 7.

bus nostris fieri fecimus cum minoris essemus etatis scilicet tam in magna carta nostra quam in carta nostra de foresta Et volumus et precipimus pro nobis et heredibus nostris quod prefati fideles nostri et successores et heredes eorum habeant et teneant in perpetuum omnes libertates et liberas consuetudines predictas non obstante eo quod predicte carte confecte fuerunt cum minoris essemus etatis ut predictum est Hiis testibus venerabilibus patribus E. Cantuar' archiepiscopo P. Winton' J. Bathon' R. Dunelm' R. London' W. Karl' W. Exon' R. Sarr' H. Elyens' R. Linc' R. Heref' A. Coventr' et Lichefeld' episcopis W. Valenc' W. Wigorn' electis R. comite Cornub' et Pictav' J. comite Cestr' et Huntind' J. comite Linc' constabulario Cestr' G. Mar[escallo] comite Penbr' W. comite de Ferrar' W. comite Warenn' H. comite Kanc' H. comite Essex' et Hereford' Simone de Monteforti Will'o Lungesp' Will'o de Ferrar' Will'o de Vescy Ricardo de Percy Ricardo de Muntfichet Will'o de Ros Johanne Byset G. de Umfranvill' W. de Lancastr' W. de Cantilupo W. de Clifford' J. de Monem' R. de Mortuo mari Will'o Mauduit Rogero la Zuch' Olivero de Vallibus Gileberto Basset et aliis Dat' per manum venerabilis patris R. Cycestr' episcopi cancellarii nostri apud Westm' xxviij die Januarii anno regni nostri vicesimo primo. 28 Jan. 1236–7.

[*In dorso*] Confirmacio H. r. Generalis ecclesiasticis et laycis viris tocius Anglie.

By writs, varying in date from 26 March to 22 April following (1237), the sheriffs of various counties were ordered to have this charter of confirmation read in full county court, and to cause it to be firmly kept in all things; as may be seen by the following entry on the *Close Roll*, 21 *Hen.* III. *m.* 15:—

De carta confecta de libertatibus concessis a rege dum infra etatem fuit legenda in com' Cornub'

Mandatum est vicecomiti Cornub' quod cartam regis quam fieri fecit archiepiscopis episcopis etc. et omnibus aliis de regno suo Anglie de libertatibus et quietanciis eis concessis per aliam cartam regis eis factam dum infra etatem fuit in pleno comitatu suo legi faciat et firmiter teneri. Teste rege apud Westm' xxvi die Marcii.

Although many counties are named at this point as having had the same form used for them, I do not find Lancashire among them, or,

indeed, elsewhere on this roll; but the writ for the sheriff of *Westmoreland* (a county commonly associated at this time with Lancashire and Cumberland) is entered on *membrane* 2, as follows:—

De carta libertatum legenda — *Mandatum est vicecomiti Westmerl' quod cartam quam rex fieri fecit omnibus de regno suo de libertatibus eis concessis in comitatu suo legi faciat et teneri. Teste* [*rege*] *apud Shireburne xxix die Septembris.*

In the general council (before mentioned) holden at Westminster on the octaves of Saint Hilary[1] 21 Hen. III. (20 January 1236–7) the archbishops, bishops, abbots, priors and clergy having lands not appertaining to their churches, earls, barons, knights and free men for themselves and their villains (*milites et liberi homines pro se et suis villanis*) granted to the king in aid a Thirtieth part of all their moveable goods which they should have in autumn, on the morrow of the Exaltation of the Holy Cross next ensuing (15 Sept. 1237), when their corn-crops should be inned (*quando blada sua fuerint coadunata*); to be levied on grain, ploughs, sheep, cows, swine, breeds of horses (*haraciis*), cart-horses assigned for wainage, and other cattle and goods.[2] EXCEPTED out of these were goods which archbishops, bishops, and other ecclesiastical persons had in parish churches or prebends, and lands belonging to prebends and parish churches. EXCEPTED also were gold and silver, palfreys, war-horses (*dextrariis*), sumpter-horses, nags (*runcinis*), arms, utensils and vessels.

Collection was to be made by four[3] knights assisted by a clerk, all duly sworn in presence of the sheriff. These were to cause to be elected four lawful men in every town, who were to come to a place named at an appointed day, and there be sworn—in the presence of the bailiffs, if these wished to be present—to faithfully appraise every thing at its common and just value, laying aside love, favour, hate or other impediment. Afterwards they were to show to the chief Taxors (the four knights and clerk before mentioned) the particulars of the chattels with the price set upon them; and then, having collected the money, to deliver the amount (accompanied by tallies and rolls containing the particulars) to be lodged in some priory, castle, or other safe place. The archbishops, bishops, abbots and priors in their own lands and liberties

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[1] Tricesima generalis Regi concessa

"*Rex omnibus ad quos presentes littere pervenerint salutem Sciatis quod cum in octabis sancti Hillarii anno etc. xxj° ad mandatum nostrum convenirent apud Westm' archiepiscopi episcopi abbates priores comites et barones tocius regni nostri et tractatum haberent nobiscum de statu nostro et regni nostri iidem archiepiscopi episcopi abbates priores et clerici terras habentes*" etc. [*Close Roll*, 21 *Hen.* III. *m.* 7 dorso.]

[2] The details here laid down agree very closely with the mode of levying the Fortieth, as given at p. 39.

[3] For each of the counties of Cumberland, Westmoreland, and Lancaster were appointed two knights only, with a clerk to assist them.

in the county by four knights of their own, or by free and lawful men (if they have no knights), in like manner to assess, collect and deliver the said Thirtieth.

It was ordered that the four appraisers of every town should not swear as to their own chattels, or set a price upon them, but that other four men chosen for this purpose should act in their stead; and that no poor man or woman, unless possessed of goods beyond the value of forty pence, should pay anything to this tax.

The money was to be paid at two terms, namely; one half, on the morrow of Saint Andrew's day in the 22nd year (1 Dec. 1237), and the other half, on the morrow of Holy Trinity following (31 May 1238).

The king on his part granted to the prelates, barons, and all others of the realm, that as well the Charter of the Forest as the Charter of Liberties[1]—both which he had before caused to be made—should henceforth be observed in all things; adding that the present grant by them of a Thirtieth should not thereafter be taken as, or drawn into a precedent for claiming at another time a like aid.

The king's writ, addressed to the sheriff of *Kent*[2] and giving instructions for the levy of this Thirtieth, is dated at Westminster on the 2nd of July in the 21st year of the reign (1237). Similar writs were sent on the same day to the other sheriffs throughout England, but varying in different counties the names of knights and clerks, and the day on which the *iter* was to commence. For LANCASHIRE the persons appointed were *Geoffrey* Balistarius and *Adam* de *Bury*, with Master *Roger* de *Dereby* as clerk.[3] The money collected was to be deposited in Carlisle castle, and the journey was to begin in fifteen days after Michaelmas (13 Oct. 1237). [*Close Roll*, 21 *Hen.* III. *m.* 5 dorso.]

This tax produced throughout England the sum of 33,891 marks (or £22,594), 2*s.* 1*d.*; as appears by the *Red Book of the Exchequer*, fol. 18, in these words:—

Summa xxx^{e} assise anno regni regis ejusdem [*i.e.* Henrici filii regis Johannis] xxj.^{o} xxxiij. mil DCCC.iiij.^{xx}xj. mar. ij. s. j. d.

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[1] "*Nos autem concessimus archiepiscopis episcopis abbatibus prioribus comitibus baronibus et vobis omnibus aliis de regno nostro quod tam carta nostra de foresta quam alia carta nostra de libertatibus quam prius eis et vobis fieri fecimus decetero in omnibus teneantur.*" [*Close Roll*, 21 *Hen.* III. *m.* 7 dorso.]

[2] Printed in Rymer's *Fœdera* (new edit.), i. 232, from *Close Roll*, 21 *Hen.* III. *m.* 7 dorso. This writ is immediately preceded on the roll by the king's general letters (also dated 2 July 1237), from which extracts have been made in the foregoing note and in note i, p. 48.

[3] The two last are substituted for *William Blundell* and *Ralph* parson of *Barton* (to act as clerk), whose names are struck through, and these written over.

The entire[1] Thirtieth received in Lancashire amounted to £493 9*s.* 2*d.* thus written at the foot of the Account :—

Summa summarum CCCCiiij.^{xx}xiij. li. ix. s. ij. d.

It was distributed throughout the six hundreds in the manner hereafter following. The sum total for Salfordshire is wanting (this part being injured), and the shillings in that for Aumundernes are not properly legible (being more than five, and less than nine).

Salfordshire	[81	7	8½]
Lonesd[ale]	105	4	0
Aumundernes	100	[8]	10
Derbyshire	137	1	10½
Laylondeshire	28	5	2
Blakeburnshire	41	1	7
Total	£493	9	2

The money collected in each township is carried out in line with the name ; as seen in this transcript of the first portion of Salfordshire :—

SUMMA DE SALFORDSHIRE.

D'[2] Bury	vj li.
D' Pennelbyri	xii s. vj d.
D' Totington'	ij m[a].
D' Lostoc	vij s. x d.
D' Rumwrd	xviij s. vj d.
D' Mainecest[re]	C s.
D' Clayton' et Fayleswrd	xxij s. x d. ob.
D' Gurmesale	xiij s. iij d. ob.
D' Chorlton et Oponshae	x s. x d. ob.
D' Gorton'	xiiij s. viij d.
D' Atherdowne	viij s. ix d.
D' Salford	xxvj s. vj d.
D' Burgton'	xv s. xj d. ob.
D' Ordeshale	xiij s. x d. ob.
D' Flixton'	xxiiij s. v d. ob.
D' Pennilton' et Hilt[on]	ij m[a].
D' Urmeston'	xiij s. ij d. ob.
D' Stretford	xxj s. v d. ob.

[1] So I assume it to be, on comparing the amount with the sum received for the Fortieth (p. 41), which was £252 10*s.* 4*d.* only.

[2] Contraction for *De*, meaning "of" or "from."

These sums necessarily resulted from actual valuation of the goods of individuals, the assessment being then made in the proportion of a thirtieth part. All goods thus valued must, of course, have been stated in detail by other and previous rolls which are now lost. As no better opportunity than the present will offer hereafter of exhibiting the process of assessment and return, the successive steps are traced here from various documents.

Three other rolls of this Thirtieth remain for the counties of Cambridge, Essex and Bedford. The two first, made out in the same way as the roll for Lancashire, may be briefly quoted:—

Rotulus Tricesime in Comit' Cantebrigie

[*m.* 2] HUNDRED' DE CHAVELE

D'[1]	villata de Kertling' ...	...	lv. solid. x. d. et ob.
D'	villata de Silverle ...	...	xxv. solid. ob.
D'	villata de Chavele ...	...	xxxiij. solid. et viij. d. ob.
D'	villata de Dittun' Valoynes...		liiij.^{or} sol. et v. d.
D'	villata de Dittun' Camoys ...		xxiiij.^{or} sol. xi. d.

S^{a}__ ix Libr. xiii. sol. xi. d. ob.

[*Exchequer. Lay Subsidies* (Cambridge) $\frac{81}{1}$]

This hundred (now Cheveley) produced £9 14*s.* 3*d.* at the other, or second collection. A moiety is here set down separately on each of the two membranes that make up the roll, the total amount of the Thirtieth in the county of Cambridge being £593 11*s.* 3½*d.*; of which sum the first payment was £323 1*s.* 10½*d.*, and the second, £270 9*s.* 5*d.*

Rotulus tocius Tricesime recepte in Com' Essex' Anno Regni Regis H.[2]

HUNDR' DE TENDRING'

D'[1]	Dovercurt	...	...	...	xix. sol. v. d.
D'	Misteleghe	...	...	...	xv. sol. vj. d.
D'	Bradefeud	...	...	...	xij. sol. vij. d.
D'	Wrabenase	...	...	...	viij. sol. xj. d.
D'	Ocle parva	...	...	...	xj. sol. xj. d.
D'	Elmestede	...	...	...	xxiij. sol. iij. d.
D'	Mose ...	...	...	...	xiiij. sol. x. d.

[1] Contraction for *De*, meaning "of" or "from."

[2] The year is thus left blank in the original.

D' Ramesheya	...	...	xiiij. sol.	v. d.
D' Beumund	...	...	xiij. sol.	iij. d.
D' Brumleghe parva	...	...	x. sol.	x. d.
D' Benetleghe magna	...	...	xxv. sol.	iiij. d.
D' Wyleghe	...	...	xv. sol.	xj. d.
D' Wykes Ballat	...	...	xxvj. sol.	vij. d.
D' vill' sancti Osith'	...	...	xxxvj. sol.	vj. d.
D' Hoylande magna	...	...	xxj. sol.	viij. d.
D' Turriton'	...	...	xij. sol.	j. d.

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[*Exch. Lay Subsidies* (Essex) $\frac{107}{1}$]

The total receipt for the county of Essex was £710 7*s.* 1*d.*

The Bedfordshire roll goes back a stage, and records the names of persons. I transcribe the list for the township of Tingrye (now Tingrith in Manshead hundred), because it answers all the purposes of illustration without much loss of space.

[Hundr' de Mannishevid]

Tingrye

Dominus Walt' viii. li. xiii. s.	...	...	Tric'[1] v. s. ix. d.
Ric' Torond xlv. s.	...	...	Tric' xviii. d.
Will's Bere vii. s. vi. d.	...	...	Tric' iii. d.
Joh'es Torond ix. s.	...	...	Tric' iii. d. ob.
Will's Alfey xxviii. s.	...	...	Tric' xi. d.
Henr' Petyt viii. s. viii. d.	...	...	Tric' iii. d. ob.
Emma de Bosco vii. s. iiii. d.	...	...	Tric' iii. d.
Will's de Whatele viii. s.	...	...	Tric' iii. d.
Alic' de Whatele xiii. s. vi. d.	...	...	Tric' v. d. ob.
Jur' Ad' de Watele xxxviii. s. vi. d.	...	...	Tric' xv. d. ob.
Gilb' Est xxxii. s. viii. d.	...	...	Tric' xiii. d.
Adam Torond xxxi. s.	...	...	Tric' xii. d. ob.
Petr' f[ilius] Henr' xlviii. s. ii. d.	...	...	Tric' xix. d. q^{a}.

S^{a} xv. s.

[*Exch. Lay Subsidies* (Bedf.) $\frac{71}{1}$]

[1] Contraction for *Tricesima* (thirtieth). Thus, of £8 13*s.*, the thirtieth is 5*s.* $9\frac{1}{5}$*d.*

There still remains the enumeration of goods with the value set upon them; and for this I am compelled to take one more county—Wiltshire—and a roll assigned to a much earlier date, the reign of *Richard* the First. Although the writing might be taken as belonging to that period, the fact of a *Fifteenth* being levied indicates rather a tax of this reign. The point is not material; for, leaving its date an open question, the roll shows just what is wanted, beside supplying some interesting details as to prices of farming stock in the first quarter of the 13th century, or possibly (admitting the conjectural date) before 1199. An ox is valued at three shillings, a cow at 2*s.* 6*d.*, a steer (*bovettus*) from 1*s.* 3*d.*[1] to 2*s.*, a calf over a year old at a shilling, a sheep (according to age) 4*d.* to 6*d.*, a hog (porker) 6*d.* Wheat 2*s.* 8*d.*, barley 2*s.*, and oats 1*s.* the quarter. Goats are named in some entries, and priced at 6*d.* per head; one person in Brudemere (*m.* 6) having as many as twenty-six (at 6*d.*) beside 23 young goats (at 3*d.*)—*De xxvj. capris xiij. sol. De xxiij junioribus v. s. ix. d.*

MANERIUM DE BEREWICH' DE ABBACIA DE WILTON'

De Johanne filio Petri. De vj. Bobus xviij. sol. De ij vaccis v. sol. De v. Bovet' x. sol. De Cv. Bidentibus xxxv. sol. Summa lxviij. s. Summa xv^me iiij. sol. vj. d. ob.

De Ricardo filio Petri. De vj Bobus xviij. sol. De v. vaccis xij. sol. vj. d. De iij. Bovet' iiij sol. vj. d. De ij. vitulis superannat' ij. sol. De xx. multonibus x. sol. De quater xx^ti ovibus et ogh' xxvj. sol. viij. d. De j. quarterio frumenti ij. s. viij. d. De ij. quart' ordei iiij. sol. De ij. quart' avene ij. sol. Summa iiij li. xxij. d. Summa xv^me v. s. v. d. ob.

De Ricardo de Berewich'. De xv. Bobus xlv. sol. De j. vacca ij. sol. vj. d. De iiij. Bovet' v. sol. De viij. porcis iiij. s. De ij. ruschis xij. d. De Clxxvj. Bidentibus Lviij. sol. viij. d. De v. quart' frumenti xiij. sol. iiij. d. De ij. quart' ordei iiij. sol. De iiij. quart' avene iiij. sol. Summa vj. li. xvij. sol. vj. d. Summa xv^me ix. s. ij. d.

[*Exchequer. Treasury of Receipt. Miscellanea* $\frac{44}{31}$]

Having re-examined the roll since the foregoing was written, and being yet further confirmed in the previous impression as to its interest and value, I commend it to the attention and scrutiny of Wiltshire antiquaries. At least, their county can boast of a nominal return which

[1] A common item is—"*j. bulluc*, xv. *d.*

is unquestionably earlier than that for any subsidy now known to be in existence ; unless a fragment, $6\frac{3}{4}$ inches long by $4\frac{7}{8}$ inches wide, for the county of Kent ($\frac{1\,2\,3}{1}$) be of the same date. This also shows a *Fifteenth* which was levied on persons, with these marginal places set against them :—"Borga de Stanford', Norflete, Wrotham, Otteford', Meidenestane, Cussingtone and Sunderesse."

Paris[1] has recorded the position of affairs as they stood a few years later, when the hopes raised by the king's solemn and reiterated promises, made at the granting of this tax, had ended in complete disappointment. A great council for treating upon arduous state business was summoned to meet at London[2] in fifteen days after the feast of *S. Hilary* in the 26th year of the reign. It assembled accordingly on Tuesday[3] 28 January 1241–2, when the king having demanded money to engage in a war against France, for the purpose of regaining his inheritance and the rights of his kingdom of England, the magnates refused his request, on the ground that he had so often already wasted the money which had been extorted from them. On the following day the king tried, by seeing the barons singly, to win them over, after the manner (says *Paris*) of a priest inviting penitents to confession ; but without, or with very little success.

On further discussion the prelates, earls and barons advised the king to wait the expiry of the truce entered into, but promised to assist him with means against the king of *France*, if that monarch should break it, and refuse, after negotiation by means of duly accredited ambassadors, to make amends for such infraction. They reminded *Henry* of the number of aids they had already granted ; how only four years ago, or thereabouts, he obtained by urgent entreaty a Thirtieth on the understanding that this exaction should not be drawn into a precedent ; how he granted to them that all the liberties contained in the Great Charter should thenceforth be more faithfully observed, yet further confirming the same by a small charter ; and how he engaged that all the money arising from this Thirtieth should be safely deposited in his own castles under the custody of four magnates—the earl of *Warenne* being one—by whose supervision and counsel it should be expended, as necessity should require, for the advantage of himself and of the realm. Knowing and hearing nothing of the way in which any of it had been bestowed, they firmly believed that the king had the whole in his own possession, and available for use. Besides, there had fallen to him in the interval so

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[1] *Chronica Majora* (ed. Luard), iv. 181–188.

[2] The writ of summons, addressed to the archbishop of *York* with all other prelates and magnates, bearing date at Windsor 14 Dec. 1241, is printed by *Brady*, in his *Introduction to the Old English History*, 87, from the *Close Roll*, 26 *Hen.* III. *part* 1, *m.* 13 dorso.

[3] "die Martis proxima ante Purificacionem beate Marie anno Domini MCCxlii. regni H. iii. regis vicesimo sexto." *Paris*. Not 29 (ed. Luard, iv. 185), but 28 January.

many escheats from wealthy sees, and from the lands of deceased earls, barons and knights, that from those alone he ought to have a great amount of money, if it had been properly husbanded. And more. From the time the Thirtieth was granted, the itinerant justices never ceased to go all over England, and adjudge pleas of the forest, as well as other pleas, whereby all the counties, hundreds, cities and boroughs, and almost all the towns were heavily amerced. From this source again the king had, or ought to have, a vast sum, if paid and punctually collected. By those amercements, and by other aids before given, his subjects were so aggrieved and pauperized that they possessed little or nothing in goods. Seeing that after the grant of the said Thirtieth the king never observed the charter of liberties, but had rather broken it more than usual, their plain answer was, that at present they would not make him any grant in aid. They desired him to see for himself how the promises had been kept, which were lavishly made on his behalf by *William* de *Rale* (or *Ralegh*) when the Thirtieth was obtained.

Whatever effect *Henry* might have had upon a few, the majority held out in their resolute denial. At last, in a great rage and calling the saints to witness, he swore that nothing should deter him from carrying out his project; but that, going on shipboard in eight days after Easter,[1] he would tempt the fortune of war against the *French*. So the council was dissolved, indignation being felt on both sides, but suppressed.

Thus *Paris;* but *Carte*,[2] after summarizing the story as told by that writer, concludes by saying :—

"In fine, they absolutely refused to grant a supply, nor could the king's sollicitations of the prelates and barons in private, and his producing a roll of some prelates, who had agreed to contribute, prevail with them to alter their resolution. Such is the account, which *M. Paris* gives of the proceedings of this parliament : but there is reason to distrust its exactness ; since the *Chronicle* of *Dunstaple*[3] says that convent paid a scutage of 40 Shillings a knight's fee, and it is plain from the *Pipe-rolls*, that this scutage was general over the kingdom, and that those who went over to *Gascogne* had writs for raising it on their tenants. . . . . and though the king might perhaps levy a scutage, as well as take fines, in virtue of his prerogative, yet the scutage paid this year for his passage into *Gascogne* was certainly granted by parliament. It appears further from the patent rolls of this year,[4] that this very parliament made the king a grant of the *thirtieth* of all moveables throughout the realm ; so grossly is *M. Paris* mistaken in his account of this transaction."

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[1] Easter fell that year (1242) on 20 April.

[2] *A General History of England*, ii. 74.

[3] The words in that Chronicle are :—"Eodem anno [*i.e.* 1242] dedimus scutagium, scilicet de feudo militis quadraginta solidos." *Ann. Mon.* iii. 160.

[4] Here in a note—"See *Rot. Pat.* 26 *H.* III. *m.* 5. entitled, *De levatione trigesimæ Regi concessæ*."

So far as concerns the scutage of this year (1242)—which I have selected for illustration hereafter under another heading (p. 116)—*Carte* is right in saying that the king had forty shillings (or three marks) the fee for his passage into Gascony; but the averment, that there was at this time granted also to the king's use a "*thirtieth* of all moveables," is not supported by the reference given in his note at the foot of page 74:—"See *Rot. Pat.* 26 *Hen.* III. *m.* 5. entitled, *De levatione trigesimæ Regi concessæ*." The roll cited is before me. No such words are found anywhere on the margin of *membrane* 5—as they should be to warrant the use of the term "entitled"—although they are seen to be identical with those used in the printed Calendar[1] of Patent Rolls, p. 19, namely; "De levatione tricesimæ Regi concessæ. 5."

How is this similarity to be accounted for, when this volume was printed half a century after *Carte's* history?[2] He may have had access—although there is nothing to show that they were then in existence—to four manuscript volumes,[3] the property of *Henry Rooke* esquire, from whose executors they were "procured in the year 1775 by Mr. *Astle*[4] for public use," through the instrumentality of Mr. *Kipling*,[5] the successor of Mr. *Rooke* in his official appointment, and afterwards printed by Order of the House of Commons.

Other four manuscript volumes, extant in the middle of the last century and containing also a Calendar of Patent Rolls from *John* to *Edw.* IV., were in the collection of *Philip Carteret Webb*[6] esq., not only an eminent antiquary but an able constitutional lawyer, thoroughly conversant with the records. These were sold after his death (which happened in 1770) to the earl of *Shelburne* (afterwards marquess of *Lansdowne*), and are now among the *Lansdowne MSS.* at the British Museum, numbered 302 to 305. The minute points of agreement between these manuscripts, and those first mentioned as being in the Public Record office, plainly indicate that both were transcribed from some common source. Guided by what is said in the Preface, as to the printed Calendar having been "collated with Two Manuscripts in the Cottonian Library in the British Museum, marked Titus C. ii. & iii.," I have examined the first of these for the words quoted by *Carte*, and this is what I find:—

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[1] Calendarium Rotulorum Patentium in Turri Londinensi. London, 1802, folio.

[2] "*A General History of England*, by *Thomas Carte* an Englishman," is in four volumes, issued in 1747, 1750, 1752 and 1755.

[3] These four volumes are yet preserved at the Public Record Office among "Miscellaneous Calendars and Indexes," but noted as having been "superseded by the Printed Calendar."

[4] *Thomas Astle* esq., Keeper of the Records in the Tower.

[5] See *First Report on Public Records*, 85.

[6] Mr. *Webb* was appointed Solicitor to the Treasury 4 Nov. 1756. He sat in two parliaments as member for Haslemere, being returned

Pat. de A°: xxvj° [f. 32]
Regis Henr. tercij

Pro Fulcone de castello novo de parco suo infra maner' suum de Glatton.

Will' Ebor' Archiep' Custos regni Angl' dum Rex fuerit in partibus Vascon: ac eius potestas. Ac br'ia de intend[end]o direct' Justic' Hib'n', ac David fil' Lewlini nuper Princ' Northwall' Ap: Portesmuth 5 Maij in transfretac' Reg'.

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* * * * *

De compoto M. fil' Geroldi Justic' Hib'n' audiendo. [f. 32 b.]
De levacione tricesime Reg' concess'. 5.
Quod negociacio fiat inter mercatores Angl' et Wallens'.

To one, then, of these three sources *Carte* must inevitably have gone; most probably (I now think) to the *Cotton*[1] manuscript. He could not by any possibility have looked at the roll itself for reasons which will presently appear. Those who have used to any extent the printed Calendar of Patent Rolls must have noticed frequent confusion between the membrane and the number of the entry. The present is one of those instances, for *m.* 5 should have been *n.* 5. The Patent Roll is still before me; and at membrane 7 there is an entry, numbered "5" on the margin, which is unquestionably that adduced by *Carte*. It is most certainly *not* "entitled, *De levatione tricesimæ Regi concessæ*"—because that would be a misleading description—but *De providencia contra transf*[r]*et*[acionem] *R*[egis]. This is a mandate to *Hugh* de *Stocton* and his fellows to receive £500 from the sheriff of *Lincolnshire* out of the king's thirtieth; and to keep that money safely until sent for by *Bartholomew Peche* and *John* de *Colemere*, in order to be used in preparing for the king's voyage to Gascony (*ad transfretacionem nostram preparandam*). Dated at Saint Edmunds (now Bury in Suffolk) 17 March 1241–2. A little lower on the same membrane (7) is another mandate to the same *Hugh* de *Stocton* and to *W.* de *Haverhulle*, dated at "Chipenham" 28 March 1242, which refers to the said £500; and directs that, if not received already from the sheriff, other £500 are to be taken out of the king's treasure, and delivered to *Bartholomew Peche*, *William Hardel* and *John* de *Colemere*, to provide for the king's passage

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for that borough in 1754, and again in 1761. [Chalmers' *Biographical Dictionary*.]

[1] This (say the editors) "seems to have been compiled in the Reign of James the First, from the Records themselves, by some experienced Clerk, who has selected from them what appeared to him most useful and interesting."

(*ad provisiones faciendas contra passagium nostrum*). On receipt of the £500 from the Thirtieth, that amount to be put back into the treasury

Assuming even that a Thirtieth was granted by parliament at the first moment of meeting (Tuesday 28[1] January), it may be doubted whether it would have been possible to get through the business of appointing taxors, and then of assessment and collection, so as to have the money forthcoming from the tax actually received, and the accounts audited by the 17th of March, the date of the order first quoted. Any speculation on this point is rendered unnecessary by the fact recorded on the Close Roll of this year, that on the third of February the king ordered *William* de *Haverhulle*, *Hugh* de *Stocton*, and other keepers of his treasure in the Tower of London to receive the treasure collected rom the Thirtieth in the county of Lincoln, which would be delivered to them by the sheriff, and to see to its being safely kept in the said Tower until otherwise ordered. There are other references on the Patent Roll (*m.* 8) to the Thirtieth of Lincolnshire, dated 12 March ; but the earliest date (3 Feb.), just mentioned as on the Close Roll, comes so near to the day for which the council or parliament was summoned, that it is important to quote it at length. Taking the very outside limits, you have seven days and no more, thus clearly proving that the Thirtieth herein dealt with must have resulted from a prior grant made in some bygone parliament.

3 Feb. 1241–2. De thesauro custodiendo

Mandatum[2] *est W. de Haverhulle et fratri H. de Stocton' et aliis custodibus thesauri in Turri Lond' quod thesaurum collectum de tricesima in comitatu Linc' quem vicecomes Linc' eis liberabit recipiant et in predicta turri salvo custodiri faciant donec rex aliud inde preceperit. Teste ut supra.* [i.e. *Teste me ipso apud Westm' iij. die Februarii anno regni nostri xxvi*]

Here is a confirmation of what (according to *Paris*) was alleged ; that *Henry* had yet money remaining of the Thirtieth granted five years ago. So also what was said about wealthy sees having fallen into the king's hand is borne out by this Patent Roll. At this moment the king was keeping void the archbishopric of *Canterbury*, and bishoprics of *London*, *Winchester* and *Chester* (as here called, meaning *Coventry* and *Lichfield*), if no more ; and taking the profits. Wanting five hundred marks for the purchase of horses, he wishes (he says) that sum to be taken out of the issues of the archbishopric of *Canterbury ;* but, as the keepers of the see have no money at present in hand, the 500 marks to be taken from the treasury in the Tower of London, and sent to the New Temple : of which, 200 marks to be delivered now for buying horses, and the remaining 300 to be deposited there until *Richard* the king's marshal shall send

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[1] Not 27 January—as stated by *Carte*—for that was on *Monday*. See note 3, p. 54.

[2] *Close Roll*, 26 *Hen.* III. *part* 1, *m.* 10.

for the money and shall find horses for purchase. The keepers of the archbishopric are ordered out of the issues to replace the 500 marks in the treasury at Easter. Dated at Holte 25 March 1242.[1]

There are indications that *Henry* was at this time taking advantage of the lengthening days to visit in person various abbeys and priories, and beg for aid towards his passage. In this way he succeeded while staying at *Saint Edmund*'s abbey in getting 100 marks, or rather the promise of so much, from the abbot; and he had not proceeded far before he wrote,[1] informing the abbot, that he had lent the £100 to *Roger le Bygod* earl of *Norfolk* who was to accompany himself in his expedition. The abbot was urged to let the earl have that money without delay or, at the latest, before Mid-Lent (*vel ad tardius citra mediam quadragesimam*).

On the 18th of March[1] 1241–2 *Henry* wrote from Saint Edmunds to his treasurer and *Hugh* de *Stokton*, informing them that certain abbots and priors, whose names were set down in a writing enclosed, had granted to him an aid for his passage (*concesserunt nobis subsidium ad passagium nostrum*); agreeing at the same time to pay one moiety at Mid-Lent, and the other at Easter of this 26th year. They were ordered to receive that money at the said terms when sent or brought, and to keep it safely in the *Templars*' house at London until they should be otherwise ordered.

Next all abbots and priors, as well *Cistercian* and *Premonstratensian* as of the black order, and order of *Saint Augustine*, were addressed by letters patent, dated at Windsor 8 April, and asked for aid in money or in horses towards his passage to Gascony; each house being visited in turn by one of the king's clerks accompanied by the sheriff of the county in which it was situate.[1] Three days before (5 April) he wrote to the heads of the respective orders in Cheshire[1] in almost identical terms, the tenor of which is as follows :—

[De[2]] succursu in pecunia vel in [equis[2]] domino regi faciendo[3]

Rex omnibus abbatibus prioribus tam Cesterc' Premonstr' quam nigri ordinis[4] in comitatu Cestr' salutem Cum ad transfretacionem nostram quam in brevi faciemus Domino concedente tam in pecunia quam in equis multum indigeamus mittimus ad vos dilectum nobis Simonem

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[1] *Patent Roll*, 26 *Hen.* III. (n° 49), *m.* 7.

[2] The writing is here defective.

[3] *facienda* in the roll, as if agreeing with *pecunia*.

[4] The omission of the words, *et ordinis sancti Augustini*, which appear in the other letters patent, notwithstanding there were *Austin* canons at Norton in this county, may possibly be explained on the supposition that this house was amongst those which had agreed to give an aid to the king.

quondam decanum Cestr' una cum ..[1] clerico J. Extranei justiciarii Cestr' vos singulos prelatos attencius rogantes ut nobis vel in pecunia vel in equis talem succursum faciatis quod vobis teneri debeamus ad grates et quem succursum nobis vel in pecunia vel in equis facere volueritis nobis per predictum Simonem sine dilacione scire faciatis litteratorie.

5 April 1242. Teste ut supra [*i.e.* Teste rege apud Windles' v. die Aprilis].

Et mandatum est predicto Simoni quod ipsos abbates et priores inducat quod domino regi vel in pecunia vel in equis ad carectas trahendas vel ad summas deferendas succursum faciant. Teste ut supra.

Et mandatum est J. Extraneo justiciario Cestr' quod aliquem de clericis suis ad hoc magis idoneum una cum predicto Simone eidem negocio intendentem esse faciat. Teste ut supra. [*Pat. R.* 26 *Hen.* III. (nº 49) *m.* 6.]

The persistent efforts which the king made to obtain money for his expedition are quite inconsistent with the idea of his having had any such special grant as a Thirtieth. His entreaties for aid from the heads of religious houses met with greater or less success. Various sums of money came dropping in, before and after Easter, up to within a few days of his departure from England. Thus, to mention some of them—one hundred marks were received 17 April from the abbot and convent of *Abingdon*[2] (*m.* 6), fifty marks 23 April from the prior and convent of *Lewes*[3] (*m.* 5), thirty marks from the prior and convent of *Worcester*[2] (*m.* 4), fifty marks[3] 30 April from the abbot of *Hyde*[2] (*m.* 4), one hundred marks 2 May from the abbot of *S. Mary, York*[2] (*m.* 4); and so on. A general acquittance, dated at Merewell 2 May[4] (*m.* 3), and specifying in detail the particular amount actually received from each, was given by the king to twenty-six abbots and priors who had discharged their promise of aid towards his passage (*de auxilio quod nobis promiserunt contra transfretacionem nostram*).[4] Of these, the most liberal was the prior of *S. Swithun, Winchester*, who gave two hundred[5] marks. Second to him came the abbots of *Ramsey* and *Reading* with one hundred marks each. Then the abbots of *Hyde* and *Glastonbury* (here *Glastingbur'*), and

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[1] Two dots close together are commonly used in these rolls, when the *Christian* name is not known to the writer.

[2] *Patent Roll*, 26 *Hen.* III. (nº 49).

[3] In return for this sum, the king remitted to the abbot the scutage of five knights' fees out of the service of twenty knights due from him, as tenant of the king *in capite*. [*Close Roll*, 26 *Hen.* III. *part* 1, *m.* 3.]

[4] *Close Roll*, 26 *Hen.* III. *part* 1.

[5] The king gave (by anticipation), 17 April, to *William Lungespeye* the two hundred marks promised by this prior. [*Patent Roll*, 26 *Hen.* III. (nº 49) *m.* 6.]

the prior of *Lewes* (before-mentioned) gave fifty marks each. So the sums decreased—twenty pounds, twenty, fifteen, ten and five marks—down to forty shillings, severally; from the abbot of *Wigmore*, and the priors of *Trentham*, *Andover* and *Tutbury*.[1]

Orders were issued 25 February by the king to assess tallage on cities, boroughs, and his demesnes in the counties of Salop and Stafford[2] (*m.* 9); and, 13 March, in the counties of Gloucester, Hereford, Worcester and Oxford[2] (*m.* 8 d.). Tallage was ordered 23 March to be assessed also on cities, boroughs and royal demesnes in Ireland; and at the same time an aid was directed to be asked from all religious houses in that kingdom[3] (*m.* 6). A. D. 1241–2.

All the time that active and urgent appeals were being made in every conceivable quarter, and every possible device for raising money was brought into play, treasure was lying stored in other chief towns than Lincoln. The keepers at Bristol were ordered 16 Feb. to deliver £1638 to the sheriff of *Gloucester*,[3] and on the same day, those at Devizes to hand over the treasure in their charge to the sheriff of *Wilts*;[3] in both cases for conveyance to Winchester (*m.* 10). All the sheriffs were required 24 Feb. to be personally present at Westminster on the morrow of the Close of Easter, and to bring with them all money owing to the king[2] (*m.* 8), which must have been of considerable amount, for the pipe-rolls disclose a long list of amercements in every county, herein corroborating what *Paris* has recorded as one of the burdens of the country at large. The treasurer, chamberlain and keepers of treasure in the Tower of London were ordered 11 March to let *Peter Chaceporc* have 2000 marks of Judaism to do therewith what the king had commanded[2] (*m.* 8). The king wrote 12 March to the mayor and his barons of *London*, requesting them, out of 1000 marks in which they had fined with him for the last tallage, to pay 200 marks to the bishop of *Hereford*[4] towards his expenses in going as his ambassador (*in nuncium nostrum*) to parts beyond the sea[2] (*m.* 8).

In all these various ways, beside others which he employed,[5] the king endeavoured to raise funds for his voyage. He must have formed

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[1] For other sums received from prelates in several counties, see a small roll of five membranes which may be found among *Exch. Q. R. Ancient Miscellanea*, bundle 894 (App. 20th Report, 132) entitled on the cover, "Testa de Nevill—Auxilium pro Vascon', &c. in divers' Com." Of this roll, two membranes (2 and 3) relate to the aid of the prelates—a term that includes abbots and priors, abbesses and prioresses—for the king's voyage to Gascony in 1242, and the other three (1, 4, 5), to the aid for marrying the king's sister to the emperor in 1235.

[2] *Patent Roll*, 26 *Hen.* III. (n° 49).

[3] *Close Roll*, 26 *Hen.* III. *part* 1.

[4] See *Chronica Majora* (ed. Luard), iv. 190.

[5] See mention elsewhere (p. 117) of the heavy fines exacted, beside their ordinary scutage, from the king's military tenants who remained behind in England.

"great expectations," when he commanded (10 Feb.) his treasurer to see to the making of twelve long carts, and barrels enough to carry £60,000; for there is no other way to interpret the words than as relating to money. Precisely similar terms were used on a former occasion (p. 17), when mention was made of "*carettas ad deferendum thesaurum quintedecime nostre usque Winton*'" and of "*xvij barill' ad thesaurum nostrum inponendum.*" But you may judge for yourself. Here is the entry :—

De carettis et barellis faciendis

10 Feb. 1241–2.

Mandatum[1] *est W. de Haverhull' thesaurario quod fieri faciat xij longas carettas cum omni apparatu earundem*[2] *contra transfretacionem regis et barillas ad deferendum lx. milia librarum et duos magnos furnos ferreos ponendos in nave regis et cum rex scierit custum breve de* liberate *ei inde habere faciet. Teste ut supra* [i.e. *Teste rege apud Windl' x. die Februarii*].

The king wrote (21 March) to several sheriffs,[3] reminding them of an order lately made to distrain those who ought to be knights[4] and are not (*de illis distringendis de comitatu tuo qui milites esse debent et non sunt*);[5] and now again firmly enjoining them to distrain to take arms all those in their respective counties, who have £20 value and upwards in land either in knight fee or in socage, or one whole knight's fee in demesne; so that they may give security to become knights, unless they produce letters of respite from himself.

Having set on foot these preparations, the king, being at Walsingham, next ordered (24 March 1241–2) the sheriffs throughout England to summon all those who held of himself in chief by knight's service, or by serjeanty, so that they should be at Winchester in eight days after

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[1] *Close Roll*, 26 *Hen.* III. *part* 1, *m.* 10. [2] "eor'dem" *in orig.*

[3] The form, addressed to the sheriff of *Northamptonshire* (*Close Roll*, 26 *Hen.* III. *part* 1, *m.* 7 dorso), was used also for the counties of Somerset, Dorset, Cambridge and Huntingdon, Worcester, York, Lincoln, Warwick, Leicester, Essex and Hertford, Cornwall, Bedford, Buckingham, Salop, Stafford. It concludes with this warning. "*Alios autem qui non habent xx libratas terre licet teneant feodum militis integrum et illud non habeant omnino in dominico pacem habere permittas Ita quod eos decetero occasione milicie sue non distringas sciturus quod si perpendere possimus quod aliquos distringas injuste contra formam hujus precepti nostri ad arma capienda ad te nos graviter capiemus. Teste*" [no date, but the entry immediately preceding has—"T. R. apud Norwic' xxj. die Marc."]

[4] See *Close Roll*, 27 *Hen.* III. *part* 1 (n° 56), *m.* 4 dorso, where the king at Bordeaux alludes to this order (*sicut ultimo provisum fuit antequam rex transfretaret*), and now (1 Sept. 1243) further commands that the names of all those in every county, who hold of himself in chief or of others one knight's fee, be inrolled in readiness for his arrival in England. [*Rôles Gascons*, i. 219]

[5] Similar orders given on other occasions of the like nature have been mentioned before (pp. 26–30).

Easter (*i.e.* 27 April), ready with horses and arms to cross the sea with him in person. Of this order *Brady* has given an account so extraordinary, and so wildly at variance with the authority adduced for his statements, as to demand especial notice. He has been followed all but literally by *Tyrrell* who, by a few more words, proves that he had recourse to the same author as *Brady*, without discovering the gross error into which he had been led. For clearness of comparison, extracts from these two writers are placed, side by side.

Against *Easter* the *King* sent out Summons to those that ought him *Military Service*, to meet him at **Portsmouth**, not with *Horse* and *Arms*, according to the usual tenor, but (in lieu of their Service) with a *great Summe of money* (*cum Magna pecuniæ summa.*)

[*Brady*, 583 E.]

Against *Easter* the King sent out his Summons to all those that owed him Military Service, to meet him at *Portsmouth*, not with Horse and Arms, according to the usual Tenure, but (in lieu of their Service) to bring each a good Sum of Money with them (which our Author says was more like a Banker than a General:)

[*Tyrrell*, ii. 918.

Both have very carefully given marginal references, *Tyrrell* admitting that he follows *Brady*, and *Brady* relying on a passage exactly indicated by page and line, as "fol. 583. n. 20." in *Wats*'s edition of *Matthew Paris*, from which the following transcript is taken :—

"Sub ipsorum quoque dierum profluviis, Rex peragratis aliquorum sanctorum ecclesiis, Religiosorum se commendans orationibus, civibus quoque *Londinensibus* salutatis, iter arripuit in crastino diei Paschalis versus *Portesmuham*, ibidem navem ascensurus. Urgebant autem eundem incessanter ultramarinorum mandata, et accelerabant importune. Quorum tamen forma quosdam *Anglorum* fidelium et ad honorem aspirantium ad iram et pudorem provocarunt. Erat quippe tenor mandati talis, ut scilicet cum magna summa pecuniæ, non curans de multitudine armatorum attrahendorum, ad eorum succursum, qui jam certamen prospere inierunt, venire nihil formidans festinaret: acsi potius Rex *Anglorum* esset nummularius, trapezita, vel institor, quam Rex et militum Dux et præceptor magnificus, in nummis magis quam militia reponens fiduciam. Et hoc modo non decuit Regem potentem ad Martia certamina provocari. Unde *Pictavenses* suam solitam proditionem manifestarunt, malentes Regis thesaurum exhaurire, quam eundem Regem suis honoribus sublimari, et viribus communiri; Juxta *Senecæ* Philosophi sententiam, loquentis de muliebri fallacia: *Tunc demum bona est mulier, cum aperte mala est.* In hoc rudes proditores existentes, cum

Quæ nimis apparent retia, vitet avis."

Not only has *Brady* inserted the precise page and paragraph as numbered (on which points the reader may satisfy himself by looking at *Wats*'s edition), and cited words of identification, *cum Magna pecuniæ summa;* but *Tyrrell* has made the reference more absolutely clear—if that were possible—by the additional remark, "which our Author says

was more like a Banker than a General," a fair enough rendering, in condensed form, of what *Paris* wrote; "acsi potius Rex Anglorum esset nummularius, trapezita, vel institor, quam Rex et militum Dux."

Turning now to what was actually recorded by the monk of *Saint Albans*,[1] the travesty is seen to be complete and wellnigh incredible. The king having visited certain churches, commended himself to the prayers of the religious, and bidden farewell to the citizens of *London*, took his journey on Easter-Monday to Portsmouth, intending to go on board ship there. The *Poitevins* were unceasing and importunate in making demands of the king, which by their form aroused anger and shame in the minds of his lieges who were English and thought only of gaining honour; for what they insisted on was that, fearing nothing for themselves who had already begun the contest with success, and not troubling to get together a host of armed men, he should hasten at once to their aid with a large sum of money, that being what they wanted rather than men of whom they had at home enough and to spare. Such in effect, neither more nor less, is the monk's version turned freely into English. The summons ordered by the king contains not a word, not a hint, about bringing money "in lieu of service." This suggestion is founded upon a total misconception of the text which ought to need no further explanation; but, in order to dispel any doubt that may yet linger in the mind of any one, the royal writ is appended at length:—

Rex vicecomiti Norhampton' salutem Precipimus tibi sicut alias precepimus firmiter inju[n]gentes quod sumoneri facias archiepiscopos episcopos comites barones abbates et priores milites et liberos homines qui de nobis tenent in capite per servicium militare sive per serjantiam et omnes illos similiter tam milites qam alios tenentes per servicium militare vel per serjantiam qui tenent de wardis in manu nostra existentibus sive sint warde de terris episcopatuum sive de terris comitum baronum vel aliorum quorumcumque liberorum hominum quod sint apud Winton' in octabis Pasche parati equis et armis transfretare cum corpore nostro Ita tamen quod predicti archiepiscopi episcopi abbates et priores qui servicium nobis debent habeant ibi pro se servicium suum nobis debitum et ita te habeas in execucione hujus precepti nostri ne si contingat quod absit transfretacionem nostram per te impediri ad te nos graviter capere 24 March 1241-2. *debeamus. Teste rege apud Walsingeham xxiiij. die Marcii.*

Eodem modo scribitur omnibus vicecomitibus Anglie.

[*Close Roll*, 26 *Hen.* III. *part* 1, *m.* 7 dorso.]

Paris dates incorrectly the king's embarkation at Portsmouth on the *Ides*[2] or 15th, instead of the ninth[3] of May, as appears by *Henry*'s own

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[1] See the corresponding passage in *Chron. Majora* (ed. Luard), iv. 190.

[2] *Chronica Majora* (ed. Luard), iv. 192.

[3] "Die Veneris post Invencionem Sancte Crucis misit se in mare dominus rex Angl."—*Annals* of *Waverley*. [*Ann. Mon.* (ed. Luard) ii. 329.]

testimony to be quoted presently. After detailing that he was accompanied by the queen, his brother *Richard*, seven other earls and about three hundred knights, the historian alludes to the treasure taken on shipboard being contained in thirty barrels, or hogsheads, well filled—"*et repletis triginta cadis desideratissimis esterlingis.*" The king's last *teste* at Portsmouth is found on Thursday the eighth of May. Seeing that some little interest naturally attaches to his last few days spent in England, I venture to give, in the manner before used, a table of his progress from the first of April down to the eve of his departure. Easter-day, it will be remembered, fell on the twentieth of April in this year (1242).

Itinerary of Henry III.

Figure 1 = *Close Roll*
„ 2 = *Fine Roll*
„ 3 = *Patent Roll.*

The Text letter ℭ denotes *Sunday.*

April *A.D.* 1242.			
1	Royston	1, 2, 3	
2			
3	St. Albans	1, 2	
4	Harrow[1]	1, 3	
5	Windsor	1, 2, 3	
ℭ 6	Windsor	1, 2	
7	Windsor	1, 3	
8	Windsor	1, 2, 3	
9	Windsor	1, 3	
10	Windsor	1	
11			
12	Westminster	1, 3	
ℭ 13	Westminster	3	
14	Westminster	1, 2, 3	
15	Westminster	1	
16	Westminster	1, 2	
17	Westminster	1, 3	
18			
19	Westminster	1, 3	
ℭ 20	Westminster	2, 3	*Easter-day.*
21	Westminster	3	
22	Westminster	2	
	Windsor	3	
23	Windsor	2, 3	
24	Windsor	1, 3	
25	Windsor	3	
26	Reading	1, 2	
	Winchester	2, 3	
ℭ 27			
28	Winchester	1, 3	
29	Winchester	1, 3	
30	Winchester	1, 3	
May *A.D.* 1242.			
1	Winchester	1, 3	
2	Merewell	1, 2, 3	
3	Merewell	1, 2, 3	
ℭ 4	Merewell	2, 3	
5	Portsmouth	1, 2, 3	
6	Portsmouth	1, 2, 3	
7	Portsmouth	1, 3	
8	Portsmouth	1	
9	Portsmouth	[*Vasc. R.*]	

[1] *Harghes* in these two rolls. *Herges* in *Domesday-book* (i. 127 a). "In Hund. de Gara tenet L. archiep's Herges."

Yet again is *Paris* shown to be inexact. With the help of this Itinerary we are able to correct his statement (p. 64) that *Henry* took his journey "on the morrow of Easter-day to Portsmouth." Having celebrated the feast of Easter at Westminster, on the Tuesday following the king went to Windsor, where he made a short stay, moving on the Saturday (26th) from Reading to Winchester in readiness for the general muster on the morrow, being the term appointed by the writ above cited (p. 64).

The earliest *teste* of the archbishop of *York*, to whom *Henry* at Portsmouth committed (5 May) the government[1] of the realm during his own absence, is dated 17 May on the *Patent Roll*,[2] and 16 May on the *Close Roll*.[3] The king's anxiety to have his daily alms continued led him to direct that, of the five hundred persons whom he was wont to feed every day, three hundred and fifty should be reserved in England to receive until his return their daily dole at the hands of friar *John* his almoner; such diet to commence from Friday the ninth of May, on which day he tells us that he embarked at Portsmouth. This is the evidence of the fact :—

8 June 1242.

Mandatum est[4] *eis* [i.e. *W. Eboracensi archiepiscopo et Willielmo de Cantilupo*] *quod cum de quingentis pauperibus quos singulis diebus rex pascere consuevit majorem partem in Anglia pascendam reservavit per fratrem Johannem elemosinarium pasci faciant singulis diebus CCC. et l. pauperes, ita quod elemosina regis incipiat fieri a nono die Maii videlicet a die Veneris quo rex naves suas ascendit apud Portesm' et sic de die in diem quousque Dominus regem reduxerit in Angliam cum prosperitate. Teste ut supra* [i.e. *rege apud Xanctonam viij. die Junii*].

Though inexact as to the precise day of embarkation, *Paris*[5] seems otherwise to write of the king's voyage from direct knowledge. The first day—which we are now certain was Friday—when the vessels stood out to sea, there being little or no wind, they were forced to put back to Portsmouth. On the morrow, a good breeze springing up, they were carried to S. Matthieu de Finisterre, where the king stayed the next day, being Sunday, to hear divine service. On Monday, borne along by a favouring wind, such rapid progress was made that *Henry* arrived on Tuesday (13 May) at the port of Royan in Saintonge, seated at the mouth of the river Gironde opposite to Soulac in Gascony. There he landed, and after tarrying some days went on to the city of Pons, where he was met by its lord, *Reginald* (or *Renaud*) *de Pons*, attended by other nobles of the province.

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[1] Rymer's *Fœdera*, i. 244.

[2] *Patent Roll*, 26 *Hen.* III. (n° 50) *m.* 4.

[3] *Close Roll*, 26 *Hen.* III. *part* 2, *m.* 10.

[4] Printed in *Rôles Gascons* (ed. Francisque Michel), i. page 2; also in Rymer's *Fœdera*, i. 246.

[5] *Chronica Majora* (ed. Luard), iv. 192.

The king's own report of his voyage (dated 8 June[1]), though less stated in detail, agrees in the main with the foregoing, and recounts his safe arrival at Royan in Poitou, followed by his journey inland to Pons,[2] where he remained in the hope of getting satisfaction from the king of *France*. Notwithstanding all manner of terms offered on his own part, nothing had resulted; and now, in the opinion of himself and of his council, he was no longer bound by the existing truce, but at liberty to begin the war, which he could not carry on without aid in men and money. So the archbishop of *York* and *William* de *Cantiloup* were commanded to do their utmost to this end, for they were to know beyond a doubt (he said) that he had fallen into such necessity as to want money beyond measure, in order to retrieve his honour, with the alternative of incurring perpetual disgrace in the event of failure. The fines which had been exacted from those knights who stayed behind in England were ordered to be remitted; and, if after this remission they could not be induced to cross, then a reasonable advance of money was to be made in order to enable them to join him. The *French* king was to be annoyed in the coasts of Britany, Normandy and Boulogne, by people of the *Cinque Ports*, who were to be placed under the orders of a discreet and faithful commander. Five hundred *Welsh* men were to be sent over as soon as possible with as much money as could be got together. The barons of *England* were also summoned to come with hot haste by letters dated 15 June.[3]

There is no need to continue these details, for they are to be found at length in several instruments printed by *Rymer* (*Fœdera*, i. 244–249). Besides, it is no part of the plan that I have laid down for myself to touch upon the history of this reign except in so far as it concerns taxation. And herein I am yet further restricted by the very title of this work to that alone which affects the lay people, allowing myself nevertheless the latitude of not drawing rigidly a hard and fast line at the lay people of LANCASHIRE, when no documents relating to the particular tax under notice are to be found for this county. If I do not always strictly observe this limit, I may plead as excuse the temptations that arise on every hand. The most careless reader can scarcely have failed to notice how frequent have been the occasions for questioning the accuracy of historians who are regarded as authorities, and are usually followed without further inquiry. Even so acute an investigator as Professor *Stubbs* (now bishop of *Oxford*) has accepted[4] the date of the writ printed by *Rymer* (*Fœdera*, i. 281) from the "Additamenta" of *Matthew Paris*, although it is incorrectly placed by ten years, and belongs to 1242, not 1252; the regnal year having been written "xxxvi." instead of

[1] *Rôles Gascons*, i. 3; and *Fœdera*, i. 245.

[2] The king's *teste* is found (*Vascon Roll*) at Pons from 20 to 31 May, and again on 6 June, but at Saintes from 8 to 25 June.

[3] *Rôles Gascons*, i. 25; and *Fœdera*, i. 246.

[4] *Select Charters*, &c. (Oxford, 1884) 370-372.

"xxvi." The writ used for all the sheriffs—the form of which was addressed to the sheriff of *Worcestershire*—is duly inrolled,[1] and bears the *teste* of the archbishop of *York* (20 May 1242), shortly after the government of the realm had been committed to him by the king (p. 66). The version[2] given by *Paris* agrees fairly enough with the Close Roll;[1] but, o

[1] *Close Roll*, 26 *Hen.* III. *part* 2, *m.* 10 dorso.

[2] The manuscript (*Cotton. MS.* Nero D. i. fol. 120, or 111) has many corrections, additions on the margin, &c., indicating that the writer read and transcribed his original imperfectly. The names of the two knights which are given by him as, "Henrico filio Bernardi," and "Petro de Goldintuna" are entered on the *Close Roll* thus :—

Hertford' Henr' fil' Bernard' de Boclaund'
Petrus de Goldinton'

Clearly therefore the text of *Paris* is derived from the writ sent to the sheriff of the county in which *Saint Albans* abbey is situate. The form already mentioned, as inrolled and directed to the sheriff of *Worcestershire*, exhibits the rates at which, according to the quantity of their lands or chattels, persons were sworn to arms (*jurati ad arma*) for keeping the king's peace in their respective counties. I print this order, made in 1242, side by side with an earlier one of 1230, which is the nearest I can find in date to the levy made in the ninth year (1225) of a FIFTEENTH, such arms (*armis ad que jurati sunt*) being then by express words excepted from taxation (p. 12).

CLOSE ROLL
14 Hen. III. part 1, m. 5 dorso.

Rex episcopo Roff' salutem Sciatis quod assignavimus vos et dilectos et fideles nostros senescallum archiepiscopi Cant' Johannem de Wauton' et vicecomitem nostrum Kanc' ad faciend' arma jurari et assideri per totam ballivam ipsius vicecomitis sicut jurata fuerunt tempore domini J. regis patris nostri videlicet sub hac forma quod unusquisque habens feodum militis integrum habeat loricam Qui vero habet feodum dimidii militis habeat haubergellum Unusquisque autem qui habet catalla ad valenciam xv. marcarum sive sit manens in civitate vel extra civitatem sive in burgo vel extra burgum sive in alia villa habeat loricam Si vero

CLOSE ROLL
26 Hen. III. part 2, m. 10 dorso.

De forma pacis conservande

Rex vicecomiti Wygorn' salutem Scias quod ad pacem nostram firmiter *etc.* Provisum eciam est quod singuli vicecomites una cum duobus militibus ad hoc specialiter assignatis circueant comitatus suos de hundredo in hundredum et civitates et burgos et convenire faciant coram eis in singulis hundredis civitatibus et burgis cives burgenses libere tenentes villanos et alios etatis xv. annorum usque ad etatem lx^a^ annorum et assideri faciant et jurare omnes ad arma secundum quantitatem terrarum et catallorum suorum scilicet Ad xv. libratas terre unam loricam et unum capellum

course, the *Sciatis* at the beginning is a blunder for *Scias*. Dr. *Luard* has overlooked this error, notwithstanding he had before him plain warning in the words towards the end (p. 210):—"*Et ideo* tibi *precipimus quod*

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habeat catalla ad valenciam x. marcarum habeat haubergellum Qui vero habet catalla ad valenciam cl. solidorum habeat capellum ferreum purpunctum et lanceam Qui vero habet catalla ad valenciam cx. solidorum habeat archum et sagittas nisi maneat in foresta nostra Si vero maneat in foresta nostra et habeat catalla ad valenciam xx. solidorum habeat hachiam vel lanceam In qualibet vero villa extra civitatem et burgum sit unus constabularius et in qualibet civitate et in quolibet burgo plures constituantur constabularii secundum quantitatem civitatis vel burgi ad quorum summonitionem omnes ad arma jurati in warda sua sine dilacione et occasione conveniant et ad inbreviandum distincte et aperte nomina singulorum et arma ad que jurati sunt Ita quod singuli alia arma habeant semper prompta sicut premuniti fuerunt ad diem Pentecostes anno regni nostri xiiij°. ad defensionem regni nostri et suam Et quia predicta forma *etc.* Teste S. de Sedgrave apud Salop' xiij. die Junii anno etc. xiiij° [1230].

majores . . . ferreum gladium cultellum et equum Ad x. libratas terre unum haubergellum capellum ferreum gladium et cultellum Ad C. solidatas terre unum purpointum capellum ferreum gladium lanceam et cultellum Ad xl^{a} solidatas terre et eo amplius usque ad centum solidatas gladium arcum sagittas et cultellum Qui minus habent quam xl^{a} solidatas terre jurati sint ad falces gysarmas cultellos et alia arma minuta Ad catalla sexaginta marcarum unam loricam capellum gladium cultellum et equum Ad catalla xl^{a} marcarum unum haubergellum capellum gladium et cultellum Ad catalla xx. marcarum unum purpointum capellum gladium et cultellum Ad catalla x. marcarum gladium cultellum arcum et sagittas Ad catalla xl^{a} solidorum et eo amplius usque ad catalla x. marcarum falces cultellos gysarmas et alia arma minuta Omnes eciam alii qui possunt habere arcum et sagittas extra forestam habeant Qui vero in foresta [habeant] arcus et pilattos Et in singulis civitatibus et burgis omnes jurati ad arma intendentes sint majoribus civitatum et prepositis et ballivis burgorum ubi non sunt Et ideo tibi precipimus quod sicut corpus tuum et omnia que habes diligis una cum dilectis et fidelibus nostris Will'o Corbet et Petro de Wyke quos tibi ad hoc associavimus omnia predicta sub forma prescripta cum omni diligentia exequaris ne pro defectu tui et predictorum fidelium nostrorum ad te et ad ipsos graviter nos capere debeamus Returnum autem istarum litterarum sine dilacione habere facias omnibus libertatibus de balliva tua ut omnia predicta sub forma prescripta exequantur Quod si non fecerint non obstantibus libertatibus predictis sine dilacione id fieri facias. Teste W. Ebor' archiepiscopo apud Westm' xx die Maii [1242].

These rates may be further contrasted with others in an Assize of

sicut corpus tuum *et omnia* tua *diligis. . . . Ne pro defectu* tu *et predictorum H. et P. ad* te *et ad ipsos nos graviter capere debeamus.*"[1]

Carte is answerable for the long digression which commences o page 55, line 23, for I felt it impossible to leave unnoticed his clea statement, based upon what appears to be positive evidence, that Thirtieth was granted in the parliament of 28 January 1241–2. Leavin to the judgment of the reader what has been here advanced on th subject, *Carte* shall correct himself. Notwithstanding this confiden assertion of his in the passage above cited (p. 55), he could not hav really believed that the levy was made ; for, in summing up the taxe imposed during the reign of *Henry* the Third, he includes but on Thirtieth, which appears in its proper place in his *History* (ii. 59) unde the correct year (1237), and neglects entirely to name the tax which h has put forward so daringly, and in direct contradiction to *Matthew Paris.* As I had from the first intended at some point or other to quot what was *Carte*'s belief, resulting from laborious and prolonged research as to the whole burden of taxation laid upon the people throughout thi long reign of fifty-six years, the present opportunity may serve th purpose as well as any other. This is what he says :—

" The taxes in this king's reign (if we except those laid by the pop upon the clergy) were far from being numerous or oppressive. They have been already mentioned particularly ; but it is not improper to observe that besides nine talliages and thirteen scutages (one of 10 shillings a fee, another of 20 shillings, four of two marks, and seven of three marks two whereof were aids for the knighthood of his eldest son, and th marriage of his eldest daughter, and all of them due of course from hi tenants in *capite*, by the very condition of their tenure, and accompte for by the sheriffs among other branches of his ordinary revenue, in the *Pipe-rolls*, there were in the course of fifty-six years, only a *twentieth* fo

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Arms, ordered by *Henry* II. to be made in 1181 ; as recorded by *Roger* de *Hoveden* (ed. Stubbs), ii. 261 :—

" Quicunque habet feodum unius militis habeat loricam et cassidem et clypeum et lanceam Et omnis miles habeat tot loricas et cassides et clypeos et lanceas quot habuerit feoda militum in dominico suo Quicunque liber laicus habuerit in catallo vel in redditu ad valentiam xv marcarum habeat loricam et cassidem et clypeum et lanceam Quicunque liber laicus habuerit in catallo ad valentiam x marcarum habeat halbergellum et capellet ferri et lanceam Et omnes burgenses et tota communa liberorum hominum habeant wambais et capellet ferri et lanceam Et unusquisque juret" *etc.*

The persons appointed for the Assize of Arms in Lancashire, together with the sheriff of the county, were, in 1230, *Adam* de *Biry*, the steward of the earl of *Chester* in West Derby, and *Roger Gernet;* in 1242, *William* de *Lancaster* and *Robert* de *Lathum*

[1] *Chronica Majora* (Additamenta), vi. 207.

the *Holy Land*, and one *fortieth*, one *thirtieth*, and two *fifteenths* levied upon the subject." [*A General History of England*, ii. 171.]

Brady, under "Taxes in this Kings Reign," mentions (*Hist. of Engl.* 672) the granting of a Thirtieth part of all moveables in each of the years 1235 and 1237, but in two marginal notes refers both taxes to one and the same regnal year, 21 *Hen.* III., beside quoting precisely, against the year 1235, the *Close Roll*, 21 *Hen.* III. *mm.* 1 and 21 dorso, as authority. Now, *Henry*'s 21st regnal year began 28 Oct. 1236. He is therefore clearly wrong in specifying more than *one* Thirtieth to have been granted to the king at or about this time, such Thirtieth being the tax which gives the title to this section. For the year 1242—the year of *Carte*'s supposed Thirtieth—*Brady* sets down the following, and no more :—

> "In the year 1242. about *Michaelmas* the King required Scutage three Marks of every Knight through all *England*. So *Paris*, but as others only twenty Shillings."

The reader and I are in no doubt whatever as to which of these two rates is correct. We know that scutage was taken for the expedition to Gascony at three marks, or forty shillings (a mark being 13*s.* 4*d.*) the fee; and we are sure that it was "required" at some time not later than April, because several great lords and others had scutage allowed to them by the king (*Tower Miscellaneous Rolls*, n° 15) under date, 1 May at Winchester: as may be seen more at large elsewhere (p. 116).

A Twentieth[1] in aid of the Holy Land

(*)

In a Parliament holden in the fifty-third year of his reign,[2] the magnates, knights and other laymen of the realm granted to the King a TWENTIETH part of all their moveable goods, in aid of the Holy Land.

A° 53 Hen. III. [July] 1269.

After a disastrous and humiliating campaign, in the course of which he was deserted by one after the other of the *Poitevin* nobles who treacherously submitted to the *French* king, *Henry* was glad to come to

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[1] No documents found for LANCASHIRE.

[2] The Parliament, in which this Twentieth was granted, is said to have been held on the 13th of October 1269; but the impossibility of accepting this date is shown below at length (p. 92).

terms with *Louis*. So a truce for five years was entered into, dating from 21 March 1242–3, and to endure up to Michaelmas 1248. The form[1] of this truce was published on the 7th of April at Bordeaux by the king's general letters; and on the following day (8 April), being Wednesday after Palm-sunday, the letters of the *French* king concerning the same matter were delivered to *Peter Chaceporc* keeper of the wardrobe.

The account given by *Paris* places this event about six months earlier in date, and (if it does no more) implies that, from the necessities of his position, *Louis* had little choice but to accept the faintest overtures for peace. Knowing that *Henry*, who had lost the support of the *Poitevins*, was fast sinking into despair, and finding that success in the war ever favoured himself, he formed the design of following the *English* king as far as Blaye, and thence to Bordeaux (if *Henry* should go that way), thinking by unflagging diligence to bring the war rapidly to an end. But the Lord, who (says *Paris*) *dat salutem regibus prout vult*, took pity upon *Henry*. Disease aggravated by extreme heat broke out among the *French*, their host being too vast to be adequately fed. Supplies ran short, and the force pined away from hunger and thirst. The country people had stopped up the wells, and had poisoned or fouled the brooks and springs, so that the horses died for want of water. Those who fell sick, lacking quiet and medical treatment, quickly succumbed. At last so grievous were the losses that eighty bannerets of noble blood perished, and with them about 20,000 foot. The survivors were seized with a terrible dread lest they might lose their king, who was young and delicate, as suddenly as at Avignon they had lost his father. *Louis* was compelled,[2] therefore, to accept the five years' truce proposed by the king of *England*, which he willingly, nay joyfully granted; and then returned home.

To set against this circumstantial history, there is the version of *Henry* himself, put forth in a temperate, matter-of-fact letter addressed to the emperor *Frederick*. He had evidently failed to discern any marked interposition of Divine Providence in his favour up to that date (19 Sept. 1242). Although he knew of the withdrawal of *Louis*, he had not learnt its cause as alleged by *Paris*; and this, notwithstanding a distance of but four or five miles lay between the hostile armies. After the appalling picture, presented by the monk in a few nervous sentences,

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[1] "*Rex omnibus etc. salutem. Notum facimus quod nos pro nobis* etc. *cum Ludovico rege Francorum illustri pro ipso* etc. *treugas inivimus a festo beati Benedicti abbatis in Marcio usque ad festum sancti Michaelis quod erit ab instanti festo beati Michaelis in v. annis per totam diem duraturas Nos autem* etc. etc. *Teste me ipso apud Burd' vij. die Aprilis anno etc. xxvij.*" [*Charter Roll* (n° 38), 27 *Hen.* III. *m.* 12 dorso. Printed in *Fœdera*, i. 251, and in *Rôles Gascons*, i. 162.]

[2] "*Coactus est igitur fatis sibi adversantibus treugas quinquennes a rege Anglorum caute tamen accipere petitas et in Franciam quantocius ad solitum aëra remeare. Quæ libenter immo gaudenter illi sunt concessæ.*" [*Chronica Majora* (*ed. Luard*), iv. 225.]

of dead bodies lying about in heaps,[1] and tainting the ambient air with pestilential odours, it is hard to understand how *Henry* could write in such terms as these:—

"After[2] crossing the river Gironde, having left a strong garrison at Blaye, we halted opposite that town, because the king of *France* had come with his army to besiege it; but, although he was encamped for nearly fifteen days at a distance of two miles only from Blaye, his forces meanwhile having several sharp encounters with our garrison, he never ventured to come nearer, and so at length returned to his own provinces."

This is the end of the letter (except a few words of formal closing) without a hint of any truce desired or granted, and without any reference to the mortality in the *French* army so forcibly depicted by *Paris*.

Again[3] *Henry* writes to the emperor (8 January 1242–3), because (he says) it comforts himself to tell his troubles to one on whose fraternal sympathy and affection he can count with confidence. He proceeds to make known that *Raymond* count of *Toulouse*, after entering into a mutual alliance, offensive and defensive, has broken his oath and submitted to the king of *France*. Notwithstanding this defection, and in spite of the treachery of the *Poitevins*, he (*Henry*) yet remains in Gascony, intending to struggle for his rights. There is no sign of surrender to be traced in his words:—

Nos quidem nichilominus moram trahimus in partibus Wasconie inimicis nostris gravandis sicut possumus insistentes et reformationi status nostri intendentes.

In about three weeks after, being then (1 Feb. 1242–3) still at open war with *Louis*, he writes to his barons of the *Cinque Ports*, requiring them by the fealty due to himself, and by their regard for his person and honour, to provide all the well-found galleys they can possibly obtain, in order to vex therewith his enemies by sea and by land, so long as the war between himself and the king of the *French* shall endure: as may be seen by the *Charter Roll*[4] (nº 38) of this year (*m.* 17 dorso):—

Rex baronibus suis portus de Winchelsse salutem Rogamus vos attencius quatinus in fide qua nobis tenemini et sicut nos et honorem

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[1] Dr. *Luard* has this note—"At the foot of the page is a drawing of a group of dead soldiers and others; above, 'Pestis morticinii Francorum in Pictavia.'" *Chronica Majora*, iv. 225, note 1.

[2] "*Verum postquam aquam Gyrunde transivimus dimissa bona munitione apud Blaviam, moram fecimus ex opposito ejusdem ville quia idem Rex Francie venerat cum exercitu suo pro villa illa obsidenda set cum duobus miliariis a villa ipsa fere per quindecim dies moram faceret in castris non ausus est propius accedere licet sui interim cum munitione nostra fortes habuissent conflictus et sic demum reversus est idem Rex ad partes suas.*" [*Fœdera*, i. 206.]

[3] *Fœdera*, i. 250. *Rôles Gascons*, i. 158.

[4] This roll is also known as the *Patent and Charter Roll*, 27 *Hen.* III.

nostrum diligitis una cum aliis baronibus nostris Quinque Portuum quibus similiter scripsimus de consilio Bertrami de Cryoill' provideatis vobis de omnibus bonis galeis quas habere poteritis ad inimicos nostros tam per mare quam per terram gravandos quamdiu guerra inter nos et regem Francorum duraverit ita quod inde vos merito possimus commendare. Teste rege apud Burd' j. die Februarii [1242–3].

Eodem modo scribitur baronibus portuum[1] *Dovor' de Hasting' de Rya de Sandwico de Heth'.* [*Rôles Gascons*, i. 159.]

Paris, having committed himself to the granting of a truce in the previous autumn, when he writes of it again, has to call what then took place "a confirmation,"[2] made on the feast of Saint *Gregory*, which would be the 12th of March, unless—as the word *Georgii* is found in some copies—it be Saint *George*'s day, the 23rd of April. Whichever name was intended, the actual date was the feast of Saint *Benedict* abbot in March (21 March), as before related (p. 72).

Just as the records show, in correction of *Paris*, that *Henry* was in the early spring yet carrying on the war, so they prove that, after the truce was agreed upon, instructions were issued to refrain from hostilities by land; and proclamation was ordered (6 April 1243) to be made in all *English* seaports, that no one should henceforth by sea cause damage to, or aggrieve any subject of the king of *France*, and that traders coming into or leaving England should not be impeded in their property or merchandize[3] (*m.* 10). *Henry* thought at once (6 April) of his favourite saints, and their images at home. The crowns of Saints *Edward* and *Edmund*, the nails of Saint *Peter*, the sword of Saint *Paul;* all these were to be well gilt (*bene deaurari*). Three chasubles, the best and richest possible, and two silk embroidered copes were to be purchased, so as to await his coming. Two great lions, face to face, were to be painted in the west gable of the king's chamber[3] at Westminster (*m.* 10). The royal chapel at Windsor (10 April) to have representations of the Old and New Testament, and the cloister there to be lined[3] (*m.* 9). It was commanded (3 April), that the chamber in which the Exchequer was wont to sit, the privy chamber of the same, and the chamber containing the king's wardrobe, should have plain lining[4] without other ornament or painting, so that *Henry* might find them all ready on his arrival[3] (*m.* 10).

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[1] *portus* by error in the roll.

[2] *Chronica Majora* (ed. Luard), iv. 242.

[3] *Close Roll*, 27 *Hen.* III. *part* 1 (n° 56).

[4] "*de plana lambruschura sine aliquo alio ornatu aut depictu.*" The verb *lambruscari* used a little before in this entry (*quod lambruscari faciat cameram* &c.), and in one referred to above (*et quod claustrum regis ibidem lambruscari faciant*), seems to denote what we call "wainscotting"; for elsewhere (*Close Roll*, 36 *Hen.* III. *m.* 12) it occurs in connection with Irish boards, three hundred of which are to be sent to Winchester for lining the queen's chamber—"*tria centena de bordis Hibern*[*icis*] *ad cameram regine ibidem lambruscandam.*"

According to *Paris*, intending an immediate return to England, *Henry* sent orders[1] for the nobles to receive him with joy upon his landing; but nothing is found to confirm the statement, that this demonstration was actually enjoined to the archbishop of *York*, or that the magnates paced the beach at Portsmouth, day after day, grieving over their enforced expenses, their eyes the while vainly searching the horizon for the king's fleet which delayed its coming for months.[2] Keeping in mind the fact that the truce was promulgated on the 7th of April, the king's designs may be clearly traced in order of time from the rolls.

The justiciar and treasurer of *Ireland* were ordered 24 April to send to the king in Gascony with all the haste possible as much money as they could, so that he might have at least 3,000 marks[3] (*m.* 9). *Henry* informed the king of *Navarre* that he was coming to Bayonne, and would meet that monarch, if he wished, at a certain place on Thursday (14 May) before Ascension-day (21 May), to treat concerning disputes which had arisen between them[3] (*m.* 9 dorso). Being at Bordeaux 11 June, he wrote to his treasurer and chamberlain in London for 700 marks, in order to redeem certain jewels pledged for that sum, but worth 1,000 marks and more; requesting that the money should be given to the bearer of his own letter, because it would be vexing (*tediosum*) not to have the jewels before he left Gascony[3] (*m.* 7). Still at Bordeaux, he ordered 3 July the mayor of *Bayonne* and *Peter* (or *Pierre*) *Roset* to accept from any one the loan of a hundred marks, which *Nicholas de Molis* seneschal of *Gascony* was to have for the royal business; the king undertaking to repay the amount when his own money should arrive from England[3] (*m.* 7). The first announcement (that I can find) of *Henry's* plans as to going home is in a letter, dated at Bordeaux 18 July, and addressed by him to *Drue de Barentine*, in which he says that on the morrow of the Assumption B. V. M. (16 August) he proposes to go on board ship for his voyage to his kingdom of England. *Drue* is ordered to come about that feast, and meet the king off the coast of Britany, with galleys and other good vessels, well found and well manned; so as to be personally present, and to conduct him prosperously to England[3] (*m.* 6).

1243
24 April.
14 May.
11 June.
3 July.
18 July.

One accident or other yet delayed *Henry*'s return,[4] and it was only on

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[1] So likewise the *Annals of Dunstable* (*Ann. Mon.* iii. 162)—"*Et ad mandatum suum præmissum occurrerunt ei omnes magnates Angliæ, videlicet, archiepiscopi, episcopi, comites, vicecomites, barones, abbates, priores, milites et vavasores, jocalia ei et munera multa deferentes.*"

[2] *Chronica Majora* (ed. Luard), iv. 244, 245.

[3] *Close Roll*, 27 *Hen.* III. *part* 1 (n° 56).

[4] An order, that the *Friars Minors* of *Oleron* should have wood for fuel of the king's gift, shows that he had embarked on the 16th of September—"Teste rege in navi xvj. die Septembris" (1243). [*Close Roll*, 27 *Hen.* III. *part* 1 (n° 56), *m.* 4.]

Friday the 25th of September[1] 1243 that he landed at Portsmouth, being received with as much rejoicing as if he had come back a conqueror, instead of arriving—to quote the terms used by *Paris—inglorius et seductus.*[2] He proceeded to Winchester on the Monday following (28 Sept.), and then by way of Reading to Windsor, which he reached on 6 October. After a short stay there he went (9 Oct.) to Kennington, and his *teste* is found at Westminster from 12 to 27 October.

The king, being greatly hampered with debt by reason of his late expedition, was compelled at once to devise means for raising money. The unhappy Jews were always at hand and ready objects for plunder. From one alone, *Aaron* of York, *Henry* extorted four marks of gold, and four thousand of silver, and with his own hands from every Jew, male or female, received gold, leaving the silver to be collected for him by others. The abbots and priors were forced to make him costly gifts, subject to rejection if he were not pleased with them and demand for substitutes of greater value.[3] These expedients came naturally to an end, and in the following year (1244) the king applied to the prelates and barons assembled in council at Westminster for aid in money.

Long and complicated negotiations thereupon ensued which are described at great length by *Paris*, but in a manner so confused that Dr. *Brady*, who usually follows his author with unswerving loyalty, is here constrained to observe in a marginal note :[4]—"*Mat. Paris* hath jumbled things so strangely together this year, that it is not possible to make his History and Chronology meet." The final result was, that the prelates and barons refused to be won over by renewed promises to observe the Great Charter, and would agree at last to no more than an aid of twenty shillings the fee from all the king's tenants in chief towards marrying his eldest daughter.[2]

Although the date of this council is uncertain, a reasonable conjecture with regard to it may be made from the following circumstances. *Henry*, upon some pretext or other—perhaps, as *Paris* says, because two castles in Galloway and Lothian had been constructed to the injury of

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[1] To the text of *Paris* (iv. 255), "et septimo kalendas Octobris apud Portesmues applicuit," Dr. *Luard* has hazarded this remarkable note—

"[1] *kalendas*] Sic, probably an error for *idus* (Oct. 9)";

although in *Annales Monastici*, edited by him, the day is very precisely set down to be Friday 25 September. For example, take these :—

"Dominus rex applicuit in Angliam apud Portesmuthe die Veneris proxima ante festum Sancti Michaelis." *Annales de Theokesburia* (*Ann. Mon.* i. 130).

"Rex rediens de Wasconia applicuit apud Portesmuth vii. kal. Octobris, et in vigilia Sancti Michaelis venit Wintoniam." *Annales de Wintonia* (*Ann. Mon.* ii. 89).

[2] *Chronica Majora* (ed. Luard), iv. 373.

[3] *Ibidem*, iv. 260.

[4] *A Complete History of England*, 590.

himself, and in contravention of charters—resolved to proceed in arms against the king of *Scotland*.[1] He vaguely complains of certain trespasses (*pro quibusdam transgressionibus quas rex Scocie nobis fecit*); but, whatever the exciting cause, *Henry*'s decision was taken after holding a general council (*de communi consilio regni nostri provisum est*), by the advice of which all the king's military tenants without exception were warned, by writ dated at Reading 13 May 1244, to be at Newcastle upon Tyne with horses and arms on the first of August; and in like manner all sheriffs in England were ordered to summon every one, religious or other, who owed the king service, to have the same there on the day fixed.[2] A.D. 1244.

Henry went accordingly to Newcastle, having (16 July) at Nottingham given to the archbishop of *York*, the bishops of *Durham* and *Carlisle*, *Simon de Montfort* earl of *Leicester*, and *William de Cantiloup* power to conduct *Alexander* king of *Scotland* and his suite to Newcastle, with express guarantee for his and their safe stay and return to their own country. These persons so appointed carried with them to the earl *Patric* a letter of credence, by which they were empowered to represent *Henry*, and to hear what satisfaction was to be had for the things done and attempted against him by *Alexander* and the earl[3] (*m.* 3). Further orders were given on the 2nd of August[3] (*m.* 3); and by letters patent, dated 6 August[3] (*m.* 2), *Henry* announced that he had granted safe conduct to the king of *Scotland* and to all whom he might bring with him, in coming to Newcastle for the purpose of treating with himself or his council concerning peace, protection being extended to them during the conference,[4] and for three days after its conclusion. An arrangement was effected through the mediation of *Richard* earl of *Cornwall* and others, the conditions of peace being ratified by *Henry* at Newcastle on the 13th of August 1244. *Alexander*[5] by charter promised to keep good faith for ever with the king of *England*, whom he called his dearly beloved and liege lord (*carissimo et ligio domino*), and confirmed the

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[1] *Chronica Majora* (ed. Luard), iv. 380. *Fordun* (*Scotichronicon*, iii. 755) mentions one castle only, called "Ermetage" in Liddesdale. The *Patent Roll*, 28 *Hen.* III. *m.* 2, after an entry with the marginal "pro Comite Ric'o" (*i.e. Richard* earl of *Cornwall*), has these words appended:—*Et mandatum est domino regi Scocie quod illud castrum ei liberet.* See *Fœdera*, i. 257.

[2] *Close Roll*, 28 *Hen.* III. (n° 58) *m.* 8 dorso.

[3] *Patent Roll*, 28 *Hen.* III.

[4] Here twice called *parleamentum* [*Patent Roll*, 28 *Hen.* III. *m.* 2]. This is an early use of the word, which is found for the first time in *Close Roll*, 28 *Hen.* III. *m.* 12 dorso, under date 14 April 1244:—"*et nisi libertates ille usitate fuerunt usque* parleamentum *de Rumenede* [error for *Runemede*] *quod fuit inter dominum J. regem patrem nostrum et barones suos Anglie.*"

[5] *Chronica Majora* (ed. Luard), iv. 381; printed in *Fœdera*, i. 257.

agreements which on a former occasion had been entered into by the two kings in presence of the then legate of the Apostolic See, and also the contract of marriage to be had and solemnized between his own son and *Henry*'s daughter.

The *Annals* of *Dunstable*,[1] which are otherwise very accurate as to the events of this year, state that *Henry*, after having come to terms with the *Scottish* king, returned home and then held a parliament at Windsor on the morrow of the Nativity B. V. M. (9 Sept.), in which he restored to the bishop of *Winchester* his barony. It is certain that the king restored the temporalities of the see[2] to this bishop at Windsor 10 September; and it is probable enough that at the council then held the aid in question was granted.

A supposed Charter of Liberties, dated at Westminster 11 Feb. 36 *Hen.* III. (1251–2), finds a place in *Statutes of the Realm*, vol. i. 28–31; the text being printed from *Cotton. MS.* Augustus ii. n° 51. There would be no need to notice it, if it did not embody a clause that, for the grant thereby made of liberties, and of others contained in the Charter of the Forest, the archbishops, bishops, &c. gave to the king a Fifteenth part of their moveable goods. The editors remark (*Table of the Charters*, xiv.):—"Some apparent Errors in this Charter and several Instances in which it differs from all the preceding Charters, are specified in the Notes." These errors and variations might well have aroused attention, especially in face of the coincidence that it is dated on the precise day and in the same month as the Charter of the ninth year, hereinbefore noticed (p. 10) at length.

The words concerning the grant of a Fifteenth are as follows:—

Pro hac autem concessione et donacione libertatum istarum et aliarum contentarum in carta nostra de libertatibus foreste archiepiscopi episcopi abbates priores comites barones milites libere tenentes[3] *et omnes de regno nostro dederunt quindecimam partem mobilium suorum Concessimus eciam eisdem * * * pro nichilo habeatur Hiis testibus domino B. Cant' archiepiscopo T. London' Joh'e Bathon' R. Vinthon' R. Lincoln' R. Sarebur' et aliis episcopis abbatibus prioribus comitibus baronibus militibus et cetera Datum apud Westm' xj. die Februar' anno*[4] *regni nostri xxx° vi°.*

The attestation clause is singularly defective in wrongly naming four out of the six prelates, who appear as witnesses. Their names should have been set down as; *Boniface* archbishop of *Canterbury*, *Fulke* bishop of *London*, *William* bishop of *Bath* [*and Wells*], *Aymer* bishop of *Winchester*, *Robert* bishop of *Lincoln*, *William* bishop of *Salisbury*.

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[1] *Annales Monastici* (ed. Luard), iii. 164.

[2] *Patent Roll*, 28 *Hen.* III. *m.* 2.

[3] *tenenentes* in the manuscript.

[4] *Anno r' r' n'r'*—as if the writer repeated "regni."

But, bad as this is, "worse remains behind;" for the preamble states that the king acted with the counsel of *Guala*[1] the papal legate, *Walter* archbishop of *York*, *William* bishop of *London* with other bishops, and of *William Mareschal* earl of *Pembroke*, in terms that are identical with those employed (p. 6) in the Charter of 6 Nov. 1217: as may be seen by the following extract from the document under notice:—

"*de consilio venerabilis patris nostri domini Guall'* [blank] *sancti Martini presbiteri cardinalis et apostolice sedis delegati Walteri Eborac' archiepiscopi Will'i London' episcopi et aliorum episcoporum Anglie et Will'i Marescalli comitis Penbroc rectoris nostri et regni nostri et aliorum fidelium*" etc.

Now, it is notorious that the cardinal left England in November 1218,[2] and that he was succeeded in the legatine[3] office by *Pandulf* bishop-elect of *Norwich*, who was nominated by pope Honorius III. on 31 Aug. 1218 (*ii. Kal. Sept.*);[4] the appointment being announced on the morrow by apostolic writings, bearing date at the Lateran the kalends of September in the third year of the pontificate (1 Sept. 1218), and directed to the entire body of prelates; to the archbishops of *Canterbury* and *York*, severally, with their suffragans; and also, to the earls, barons and all

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[1] Although the cardinal's *Christian* name is abundantly proved by the archives of Vercelli, the city in which he was born, to have been *Guala*, it is Latinized in his own instruments *Gualterus*, or *Gualterius*. Thus his letter (27 Sept. 1216) addressed to the *French* archbishops and bishops, announcing the absolution of *Louis*, and of those who with him had invaded England, from the sentence of the pope:—"Venerabilibus in Christo patribus . . . per regnum Francie constitutis GUALTERUS miseratione divina tituli Sancti Martini presbiter cardinalis" *etc.* [*Foedera*, i. 143.] Pope Honorius III., confirming (30 Oct. 1218) the collation of *John* de Tebaldo to the church of Lambeth (here *Lamhee*), recites at length the letter (17 March 1217–18), by which the legate instituted him in the room of Master *Gervase* [de Hobrugge, chancellor of *London*], who had been deprived on account of manifold disobedience, beside open contempt for the sentence of excommunication publicly pronounced against him (with others) by name [*Foedera*, i. 139; *Paris* (ed. Luard), ii. 644], for siding with *Louis* and the barons against king *John*. This runs:—"GUALTERIUS miseratione divina tituli Sancti Martini presbiter Cardinalis apostolice sedis Legatus omnibus *etc.* Datum apud Malverniam xvj. Kalendas Aprilis Pontificatus domini Honorii Pape III. anno secundo." [*Add. MS.* 15,351, fol. 233.]

[2] *Chronica Majora* (ed. Luard), iii. 42; *Annales Monastici* (ed. Luard), ii. 291 (*Waverley*), iii. 53 (*Dunstaple*), iv. 410 (*Worcester*).

[3] The latest instrument despatched by the pope to *Guala*, in his capacity of legate in England, is dated *viij. Kalendas Septembris Pontificatus nostri Anno Tertio* (25 Aug. 1218). [*Add. MS.* 15,351, fol. 212.]

[4] GUALAE BICHERII . . . vita, &c. p. 99, note (p).

the nobles throughout England.[1] *Pandulf* is addressed as "legate" (*Pandulfo Norwicen' Electo Camerario nostro Apostolice Sedis Legato*) by the pope, in a bull dated 5 Sept. 1218[2] (*nonis Septembris anno tertio*). With regard to *William Mareschal* the elder who was (as before seen, p. 5) the king's governor, it is matter of history that, having died at Caversham, his body, first taken to Reading, was then brought to Westminster;[3] and *Paris* records with his own hand, that it was interred in the church of the New Temple on Ascension-day, being the 16th of May in the year 1219.[4]

Not only had the great earl of *Pembroke* been dead for many years, but *Guala* also, who deceased at Rome 31 May 1227, having made his will two days before (29 May), with a codicil added on the day of his death.[5] Yet in the forefront of this charter these two dead men are declared to be giving counsel, one of them being designated by the king himself as *rectoris nostri et regni nostri*. And this, although *Henry*, now over forty-four years of age, had long emancipated himself from the control of any guardian or governor, and was little given to brook advice from any quarter. *Walter de Gray*, the venerable archbishop of *York*, was indeed yet alive, but *William* bishop of London—called *T. London'* in the attestation clause—had long since gone to his rest. Beyond all these considerations which so gravely affect the genuine character of this charter, and without laying further stress on the inaccuracies in transcribing, the implication that a great council or parliament was held at or about this date cannot be sustained. Having spent the Christmas of 1251 at York, and celebrated (26 Dec.) the marriage of *Margaret*[6] his eldest daughter with *Alexander* king of *Scotland*, *Henry* made his way southward by easy stages, through (amongst other places) Pontefract, Doncaster, Nottingham, Geddington, Northampton and Silverstone; arriving 29 January at Woodstock, where he remained for a few days, and then

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[1] "*dilectum filium P. Norwicen' Electum Camerarium nostrum . . . illuc concesso sibi legationis officio duximus destinandum ut omnia faciat et disponat que ad officium legationis . . . disponenda viderit et agenda.*" [*Add. MS.* 15,351, fol. 217 d.]

[2] *Vatican Transcripts*. *Add. MS.* 15,351, fol. 225.

[3] So *Dugdale* in his *Baronage*, i. 602, quoting a manuscript in the *Bodleian* Library.

[4] *Chronica Majora* (ed. Luard), iii. 43.

[5] "In Necrologio autem Vercellensi Codice 200. archivi S. Eusebii fol. 101. pag. 2. sequentia occurrunt '*MCCXXVII. pridie Calend. Junii obiit in sancta confessione . omnibus suis pro anima sua piis locis . et religiosis personis solempni testamento rite dispositis recolende memorie . D.* Guala Bicherius . *in titulo S. Martini de montibus presbyter Cardinalis . . . .*'" [Gualae Bicherii . . . Vita et Gesta collecta a Philadelfo Libico, pag. 7]

[6] The aid for marrying the king's eldest daughter, and rated at 20*s* the fee (p. 76), was levied in the year 1245. See *Pipe Roll*, 29 *Hen.* III.

resumed his journey by Oxford, Wallingford and Reading to Windsor. Here he rested, and on the before-named 11th of February 1251-2 (which was a Sunday) he is found at Windsor, granting in perpetuity to *William* de *Clare* and his heirs, at the manor of Little Walsingham, a weekly market to be held on Fridays, and also a fair—previously granted by the king to the prior and convent of *Walsingham*, but quitclaimed by them for ever to the said *William* and his heirs—every year to last for eight days, viz. the eve and feast of the Nativity B. V. M. (7 and 8 Sept.), and six following days: so, nevertheless, that the prior and convent should find for ever one wax taper of two pounds' weight, burning continually before the high altar of their church at Walsingham; as they had promised. Also on the same day (11 Feb.), with the same *teste* at Windsor, he granted[1] to *Walter* de *Wither* (or *Wicher*) twelve acres of land in the town of S. Briavel, and that bailiwick in the forest of Dene which his ancestors had had; To hold the same to him and to his heirs for ever by doing to the king and his heirs the services therefor due and accustomed.

Beside these grants which belonged to the usual routine of the royal dignity, *Henry* had then personal concerns in hand. On the 12th (Monday) he wrote to the sheriff of *Wilts*, ordering him to see that one hundred and fifty live bucks (*damos*), taken by his own huntsmen in the royal forests of Melksham and Chippenham, were carried to Freemantle and delivered there for stocking his park.[1] On the Thursday before (8 Feb.), while at Reading, he ordered forty shillings arising from the agistments in certain woods to be paid for making two *saltatoria* in the same park of Freemantle.[2] There was at that time no council or parliament in session; and it is absolutely certain that the king was not at Westminster on the eleventh of February in his 36th year (1251-2), but at Windsor: as may be seen by the following table.

Itinerary of Henry III.

Figure 1 = *Close Roll.*
„ 2 = *Fine Roll.*
„ 3 = *Patent Roll.*
„ 4 = *Charter Roll.*
„ 5 = *Liberate Roll.*

The Text letter, ℭ, denotes *Sunday.*

February *A.D.* 1251-2.		February *A.D.* 1251-2.	
1	Woodstock 1, 2, 5	3	Woodstock 1
2	Woodstock 1, 2, 5	ℭ 4	Woodstock 1, 2, 5

[1] *Charter Roll*, 36 *Hen.* III. *m.* 20.
[2] *Liberate Roll*, 36 *Hen.* III. *mm.* 13, 14.

February *A.D.* 1251–2.		February *A.D.* 1251–2.	
5	Woodstock 1, 2, 4	12	Windsor 1, 2, 5
	Oxford 1	13	Windsor 1
6	Oxford 3, 4, 5	14	Windsor 1, 2, 5
7	Oxford 2, 3	15	Windsor 1, 5
8	Wallingford 1, 2, 4	16	Kenyton 3
	Reading 1, 4, 5		Westminster 1
9	Reading 1	17	Westminster 1, 2, 5
10	Windsor 1, 2, 4, 5	G 18	Westminster 1, 2, 4, 5
G 11	Windsor 4	19	Westminster 1, 2, 4, 5

Moreover, *Henry's* mind was at this time occupied with a desire to get money out of the clergy for an expedition to the Holy Land which he was to head as leader. Towards the accomplishment of this object the pope had granted to him a tenth[1] of all ecclesiastical revenues in England and other his dominions for three years, but subject to the collection being deferred until his passage was settled and sworn, and the money so raised being given only when he should actually start on his voyage. In company with very many nobles and others, *Henry* had publicly taken the cross in Westminster Hall two years before (6 March 1249–50) at the hands of *Boniface* archbishop of *Canterbury*;[2] but his vow was as yet unfulfilled. There were not wanting persons (says *Paris*) who then presumed to assert that the cross was taken by the king for no other reason than, under pretence of conquering the Holy Land and promoting the crusade, to extort from his nobles money which they had hitherto refused to grant. His subsequent conduct tended to confirm these doubts; for, when a great number of crusaders assembled at Bermondsey[3] in April, to consider whether it was not their duty to go at once without waiting for the king, so manifold and grievous had been the reverses suffered by the *Christians*, *Henry* vehemently opposed their wishes. Not content with personal opposition, he invoked the aid of the pope, who immediately sent letters forbidding[4] the knights to set out; and thus for a time the project was suspended.

Forced at length to do something towards showing that his purpose still held, the king wrote (6 June 1252) to the patriarch of *Jerusalem*, archbishop of *Tyre*, king of *Cyprus* and others, announcing that, in an assembly of many magnates of the realm held in the quinzaine of Easter[5] 1252, he had sworn and assigned a term for his passage to Palestine, namely, in four years from Midsummer-day following; but notifying that, if the king of *France* should restore to him the lands inherited from

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[1] *Fœdera*, i. 272, 274.

[2] *Chronica Majora* (ed. Luard), v. 101.

[3] *Ibid.* v. 102.

[4] *Fœdera*, i. 272. *Chronica Majora* (ed. Luard), v. 103.

[5] *Paris* (ed. Luard, v. 281) gives the precise date as Monday before "Hokedai," which latter answers to the ninth of April, for Easter fell this year on 31 March. Monday therefore was 8 April.

his progenitors, and now occupied by that monarch, he would undoubtedly anticipate the date fixed.[1] He wrote in like manner on the same day to the masters of the *Temple*, *Hospital*, and house of the *Hospital* "Teutonicorum," with the addition: that their best and strongest ships, well manned and well armed, should be got ready and lent to him for one year prior to his own passage, in order that horses, arms and other things, which he wished to go in advance of himself, might be safely conveyed in them to the Holy Land: provision being made that the king's servants on landing should have sure houses for themselves, and places for storage, so as to wait there for his own arrival. In the following year the ships were to be sent back for carrying over the king himself and his followers.[2]

Afterwards (9 May 1253) *Henry* wrote to the archbishops, bishops, earls, barons, knights and all other crusaders, both of *Ireland* and of *Scotland*,[3] telling them that he had sworn and appointed his passage to the Holy Land in three years from the feast of S. *John Baptist* (24 June) 1253; which resolution of his had been confirmed by the pope. He went on to declare Marseilles as the place at which he intended to put to sea, his determination having been taken after treaty with men of that port, who had been specially invited by himself for conference thereon. These prelates and others were ordered to assemble for consultation at a prefixed day and place, and then to certify the number of those who would set forth in person, so that against their and his own passage he might cause suitable ships to be provided.

At the beginning of this last-named year (28 January 1252–3) *Henry* had written to the pope in terms which contrast strangely with the suspicions and doubts reported by *Paris* (p. 82) to have been entertained. He asked the pope to have the crusade preached throughout Christendom, and to publish his own declared intention to go to the Holy Land in three years from the 24th of June following (1253), in order that other princes and their peoples might be stirred and induced to set sail in company with himself. He dwelt with much religious fervour[4] on his resolve to prepare for the expedition with all his strength of mind and body. These protestations of entire devotion to the cross were a renewal of those sworn in very solemn manner at Westminster (in April 1252) by *Henry*, his right palm laid first upon his breast, and next upon the Gospels which he then took up and kissed. Notwithstanding all

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[1] *Fœdera*, i. 282; where are to be seen other two letters (dated 8 June 1252) addressed by *Henry*, severally, to the king and queen of *France*, urging such restitution on the ground of expediting the crusade.

[2] *Fœdera*, i. 282. [3] *Ibid.* i. 289.

[4] "*Nos eciam per crucifixi misericordiam totis viribus mentis et corporis ceterisque adminiculis secularibus iter nostrum preparabimus ad exequendum predictum negocium crucis ad excellenciam honoris ipsius cujus amore crucem bajulamus.*" [*Fœdera*, i. 288; but the correct reference is *Close Roll*, 37 *Hen.* III. *m.* 19 dorso.]

this, remarks *Paris* in relating the particulars, the memory of his past conduct raised suspicion now[1] in the minds of those who saw and heard him. These circumstances have been the rather dwelt upon here, because, on the occasion of the TWENTIETH levied a few years later in aid of the Holy Land (and now about to be noticed), *Henry* is found again repeating like expressions of fervid zeal and attachment to the *Christian* cause, accompanied by the same promises up to the latest moment, and then upon a mere pretext abandoning his design, and substituting for himself his eldest son.

Tallage levied *A.D.* 1252.

As still further militating against the idea of a Fifteenth having been granted in the year 1252, there was then levied a general tallage in England. On the 2nd of May[2] *Henry* appointed *Thomas* de *Staunforde* to assess tallage severally, or in common, in the king's cities, boroughs and demesnes in the counties of Northumberland, Westmoreland, Cumberland, Lancaster, Nottingham and Derby, the several sheriffs being associated with him, and two knights in each county. For LANCASHIRE, the persons named were, *William* de *Furneys* and *William* de *Clyfton*.[3]

Other cares weighed also upon the sovereign at this time. Grave discord having arisen between *Simon de Montfort* earl of *Leicester*, the king's lieutenant in Gascony, and the people of that province, *Henry* had summoned to his presence the archbishop of *Bordeaux* and other great men in order to learn the truth of the matter. After having heard their account in detail, he announced (13 June 1252), his decision to go to Gascony hmself,[4] at or about the feast of the Purification B. V. M. following (2 Feb. 1252–3), or to send his son *Edward* in his stead ; and he laid down certain articles of government to be observed in the mean time. The proposed expedition to the Holy Land (as before related) was kept prominently before the people. The pope took (14 Oct. 1252) the king, queen, household and realm under the protection of Saint *Peter* and of himself,[5] and on the same day authorised the abbot and prior of *Westminster* to excommunicate all such as withheld, or neglected to pay, the tenths granted to the king. He also ordered[5] (19 Oct.) prayers for the king and his companions in arms to be offered up then, and after they should embark for the Holy Land. *Henry* urged upon the prelates (13 Nov.) the collection of the tenth, and invoked their assistance for the bishop of *Chichester*, and for those who should be appointed by this prelate to act for him in the business. Thus the king being sorely in want of money for both objects, the operations in Gascony and in Palestine, a great council or parliament assembled at Westminster on

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[1] "*Nec tamen hoc circumstantes reddidit certiores, preteritarum enim transgressionum memoria suspicionem in presentibus suscitavit.*" [*Chronica Majora* (ed. Luard), v. 282.]

[2] *Close Roll*, 36 *Hen.* III. *m.* 19 dorso.

[3] The name might be read *Clyston*.

[4] *Fœdera*, i. 282.

[5] *Fœdera*, i. 286, 287.

the quinzaine of Easter (4 May) 1253,[1] in which were present, with very many earls and barons, the archbishop of *Canterbury* and nearly all the bishops. The archbishop of *York* had excused himself on the ground of distance and old age, the bishop of *Chester* (*Lichfield* and *Coventry*) was absent from ill health, and the see of Chichester was void.[2] After several days spent in deliberation, a scutage of forty shillings was granted for the knighthood of the king's eldest son, the prelates agreeing at the same time to the payment of three years' tenths of ecclesiastical revenues, subject to the conditions above mentioned (p. 82). Scutage granted.

According to *Paris* the tenth was now granted,[3] but I find *Henry* writing quite twelve months before (25 April 1252) to *Boniface* archbishop of *Canterbury*[4] concerning the tenth of all ecclesiastical revenues in England, and other lands of the king's jurisdiction, granted by the pope for three years in aid of the Holy Land. Now that his passage is appointed and sworn,[5] he asks the archbishop to issue[6] orders for the collection of the said tenth to be begun at Michaelmas next (29 Sept. 1252), and to write to his suffragans and others, laying the like commands upon them.

The constant interference by the king with the freedom of elections in flagrant disregard of the Great Charter—which laid down in its first Article that the Church should be free (see above, pp. 6, 11)—was a standing grievance of the clergy; and now, under the pressure of necessity,

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[1] *Paris* (ed. Luard, v. 373) writes :—"*In quindena vero Paschæ mense Aprilis.*" Now, Easter-day was 20 April, and fifteen days (or a fortnight) after Easter would be 4 or 5 May, and not in the "month of April." The king's itinerary is thus traced on the Chancery rolls. He was staying at Waltham from 28 March to 3 April, at Havering 4 to 10 April, whence he moved by Stratford on the 11th to Westminster, remaining there until Easter Monday (21 April). Then at Merton 22 April to 2 May, at Westminster 3 to 23 May, on which day he went to Windsor; back (26 May) to Kennington and Westminster until the 30th, and on 31 May to Sutton, and by Rochester (1 June), Feversham (2) and Canterbury (3), again to Rochester, 4 June.

[2] *Richard* bishop of *Chichester* died on the fourth of the Nones of April (2 April) 1253. [*Chronica Majora* (ed. Luard), v. 369.]

[3] *Concessa est igitur regi decima pars proventuum ab ecclesia recipienda cum iter Ierosolimitanum* [arriperet] *per visum magnatum in viaticum distribuenda per triennium in succursum Terræ Sanctæ contra Dei inimicos et a militibus scutagium illo anno scilicet ad scutum tres marcæ*, etc. [*Chronica Majora* (ed. Luard), v. 374.]

[4] *Close Roll*, 36 *Hen.* III. *m.* 18 dorso. On margin, "De gracia Domino Regi concessa per Dominum Papam."

[5] See on this point pp. 82, 83.

[6] ". . . *in mandatis subditis vestris quod in instanti festo Sancti Michaelis proximo venturo predictam collectam incipiant usque ad consummacionem predicti termini perficiendam scribentes suffraganeis episcopis vestris et aliis*" etc. [*Close Roll*, 36 *Hen.* III. *m.* 18 dorso.]

Henry was again ready to agree to a renewal of the sentence of excommunication heretofore pronounced against the violators of the liberties contained in both charters. Thereupon took place that remarkable scene enacted in Westminster Hall, of which every historian has given an account, following *Matthew Paris*, who must have been personally present, so vivid is the picture pourtrayed by him. The king in good faith and without any quibbling (*sine aliqua cavillatione*) promised that he would observe all the articles of the Great Charter, which (the monk goes on to observe) his father, king *John*, swore in days long gone by to keep, and he also, on taking the crown, and many times after, by which means he extracted an immense amount of money.[1]

Sentence of Anathema pronounced 13 May 1253.

The charter of king *John*[2] was brought into the midst of the assembly and recited. This done, sentence of anathema was openly and publicly pronounced against all those who by any art or design whatsoever, openly or secretly, in deed, word or counsel, should rashly violate, diminish or change the ecclesiastical liberties or ancient approved customs of the realm, and especially the liberties and free customs which were contained in the charters of common liberties of England, and of the forest, and which were granted by the king to the archbishops, bishops and other prelates of England, earls, barons, knights and free tenants. Before beginning the sentence, which was delivered by the archbishop of *Canterbury*, all had received lighted tapers. The king at first took one, but would not hold it, giving it back to a prelate and saying :—"It becomes me not to hold a taper, for I am no priest : my heart is my best witness." He then laid his open hand (*tenuit manum expansam ad pectus*) upon his breast, and kept it there until the sentence was finished, his countenance the while calm, willing and cheerful. When at the end the tapers had been thrown down extinguished and smoking, every one saying, "So may they be extinct and stink in hell who incur this sentence," the king on his part added—"So help me God, all these things I will faithfully keep inviolate ; as I am a man, as I am a Christian, as I am a knight, and as I am a crowned and anointed king."

No sooner was the anathema concluded than the king felt that he had yielded too far ; and, supported by the great men then assembled, while yet were present the archbishop of *Canterbury* and the prelates, he at once proceeded to limit the interpretation of the clauses just delivered, so far as they affected his subjects. Finally with his own mouth[3] *Henry*

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[1] The expression used by *Paris* is remarkable and emphatic :—*et postea multoties unde infinitam* emunxit *pecuniam.* [*Chronica Majora* (ed. Luard), v. 375.]

[2] So says *Paris* (ed. Luard, v. 377); but, more probably, it was the charter granted by *Henry* in the ninth year of his reign. See above, p. 10.

[3] "*Preterea prefatus dominus rex in prolatione prefate sententie omnes libertates contra consuetudines regni nostri antiquas et usitatas et*

especially reserved and excepted all liberties, contrary to the ancient and usual customs of the realm, or restricting the dignities and rights of his crown. *Blackstone* has discussed the subject at some length in a lucid and admirable argument, to which I refer the reader.[1] He begins by remarking :—

"The wording of some part of this sentence is extremely peculiar and seems artfully calculated to assert all the liberties claimed by the church,[2] whether contained in the charters or not : particularly, the including under this curse even the legislature itself if it makes or hath made any statute, and the judges if they presume to give judgment in consequence of any statute, infringing such ecclesiastical liberties." He proceeds to show, how the framers of the sentence of excommunication "tacitly meant to subject to the curse of God the makers of the statutes of Tewkesbury and Merton, as well as the temporal judges," who had established a new tribunal in exclusion of the spiritual courts. "But of this," he goes on to say, "the king, his nobility, and the people, appear to have been well aware ; and therefore entered upon the public records[3] the remarkable protest which is printed immediately after the sentence [*Blackstone*, 72], as a perpetual memorial what part of it was inserted by general consent, and what otherwise. The pope however by his bulle, on the 21st of September following [Ann. Burt. Hemingford], confirmed this anathema *in totidem verbis;* and it was afterwards made a part of the english canon law by a provincial constitution of archbishop Peckham, *A.D.* 1281, 9 Edw. I."

Aid for knighting the king's eldest son. 14 May 1253.

On the 14th of May the king wrote[4] (*m.* 11) to the barons of the Exchequer, informing them that the prelates and magnates had granted to him reasonable aid for making his eldest son a knight, viz. forty shillings from every knight's fee held of himself in chief, whether of the old or new feoffment (*scilicet de singulis scutis que de nobis tenentur in capite xl solidos tam de veteri feofamento quam de novo*) ; one moiety to be paid at the Michaelmas exchequer of the 37th year (1253), and the other moiety, at the Easter exchequer following (1254). They were therefore ordered to cause the same to be duly levied in that manner. On 25 May *Henry* wrote[4] (*m.* 12 dorso) to his lieges in Gascony that, understanding the province to be in a state of great disturbance, he was coming thither in person, and had appointed his passage so as to be at

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dignitates et jura corone sue ore proprio specialiter sibi et regno suo salvavit et excepit." *Fœdera*, i. 290.

[1] *The Great Charter*, &c. Introduction, liv–lviii.

[2] The words especially alluded to are these :—"*Item omnes illos qui contra illas* [*i.e.* ecclesiasticas libertates] *vel earum aliquam statuta aliqua ediderint vel edita servaverint et consuetudines introduxerint vel servaverint introductas scriptores statutorum necnon consiliatores et executores et qui secundum ea presumpserint judicare*" etc.

[3] *Patent Roll*, 37 *Hen.* III. *m.* 13 dorso. Printed in Rymer's *Fœdera*, i. 290.

[4] *Close Roll*, 37 *Hen.* III.

Portsmouth on the octave (22 June) of the Holy Trinity, and then to go on board ship for his voyage to Bordeaux. On 23 June he wrote[1] (*m.* 9 dorso) to the sheriffs in England, enjoining upon them the observance of the liberties contained in the Great Charter, the form being addressed to the sheriff of *Somerset* and *Dorset* in these words :—

De magna carta tenenda

Rex vicecomiti Sumers' et Dors' salutem Scias quod ad instanciam prelatorum et magnatum regni nostri concessimus quod magna carta nostra de libertatibus predictis prelatis et magnatibus ac aliis liberis hominibus regni nostri confecta decetero rata et stabilis perseveret et quod omnes articuli in eadem carta contenti et expressi inviolabiliter observentur Salvis nobis et heredibus nostris juribus et dignitatibus[2] *corone nostre et baronibus nostris et magnatibus ac aliis nobis subjectis libertatibus et liberis consuetudinibus prius usitatis non expressis vel concessis in carta predicta Et ideo tibi districte precipimus quod predictam cartam in omnibus et singulis articulis diligenter observes et a prelatis et magnatibus et omnibus aliis predictorum comitatuum firmiter facias observari super gravem forisfacturam nostram. Teste rege apud Suthwyke xxiii die Junii* [1253]. [*Close Roll*, 37 *Hen.* III. *m.* 9 dorso.]

Many years after when *Henry*, by reason of his defeat (14 May 1264) at Lewes, was in the power of *Simon de Montfort* earl of *Leicester*, the two charters were yet again confirmed. For securing the peace and tranquillity of the kingdom, and observing an ordinance made in a general council at London in June 1264, as well as to obtain the release of *Edward* his son and *Henry* of *Almain* his nephew, both of whom had been detained by *Montfort* as hostages, the king was compelled to set his seal 14 March 1264–5 to a new Charter,[3] declaring that, by the unanimous assent and will of the prelates, earls, barons and commonalty of the realm (*prelatorum comitum baronum et communitatis regni nostri*), it was agreed that the ancient charters of common liberties and of the forest which had been long since granted, and against the violators of which at his (*Henry*) request sentence of excommunication had been pronounced, and afterwards specially confirmed by the Apostolic See,[4] should be kept for ever inviolate in all their articles. "The most observable part" of this charter, besides its confirmation of the two charters, is (remarks *Blackstone*) "the clause giving liberty to the king's subjects to rise against and distrein him to the utmost of their power, notwith-

14 March 1264–5. New Charter.

[1] *Close Roll*, 37 *Hen.* III.

[2] "dingnitatibus" *in orig.*

[3] Printed at length by *Blackstone* (*The Great Charter* &c. 74) from the inrolment (*Charter Roll*, 49 *Hen.* III. *m.* 4).

[4] *Blackstone* says :—"The pope however by his bulle, on the 21st September following [1253], confirmed this anathema *in totidem verbis ;* and it was afterwards made a part of the english canon law by a provincial constitution of archbishop Peckham, *A.D.* 1281, 9 Edw. I." [*The Great Charter* &c. Introduction, lviii.]

standing the allegiance which they owed him, in case he should transgress the conditions therein agreed on."[1]

Shortly before there had been held at London that general assembly which was summoned for the Octave of S. *Hilary* in the 49th year (20 January 1264–5); known in *English* history as the "first regular parliament," and generally accepted as the origin of our present House of Commons. Writs had been issued in the king's name to sundry prelates with certain earls and great men who were adherents of *Montfort;* and also to every sheriff requiring him to send two knights of the shire. The cities and boroughs also had been commanded to send two citizens and two burgesses, respectively, to London at the date before named. These writs afford the first clear evidence of popular representation. By other writs[2] subsequently (15 Feb.) sent out, allowing expenses to knights of the shire during their attendance in parliament, as well as in going thither and returning home, the object of the assembly is stated to have been for the purpose of treating concerning the deliverance of *Edward* the king's son with other arduous affairs touching the kingdom.[3] Here the king employs the word "parliament" (*in Parliamento nostro apud London' in Octabis Sancti Hillarii proximo preteriti*). Although some attempt has been made by historical writers to withhold the term from the description of all previous assemblies which are by them preferably called "general councils," no such fine-drawn distinction is known to the records, the word "parliament" being applied (as seen before, p. 77, note 4) to the conference[4] had between king *John* and his barons at Runimede. Indeed *parliamentum* was recognized in 1249 to be the equivalent of empty talk, and as such is expressly forbidden by the Statutes of the *Black* (or *Benedictine*) *Order*, promulgated in that year. Whereas (says the clause in question) certain monks after dinner (*post prandium proniores sunt ad loquendum quod non prodest quam quod edificat audientes*) are more prone to utter what is unprofitable than that which tends to the edification of the hearers, it is decreed: That the talking which is customary after dinner in certain cloisters be wholly prohibited (*Quod* parlamentum[5] *quod post prandium in quibusdam claustris fieri consuevit penitus interdicatur*); and that, instead thereof, vacant time be more fruitfully employed in meditations and in repeating lections.[6]

20 Jan. 1264–5. First regular parliament

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[1] *The Great Charter* &c. Introduction, lix.

[2] The entire series of writs is printed by *Brady* in his *Introduction to the Old English History*, 137–141, after a long account (beginning at p. 130 D) of the events which led up to this parliament.

[3] "super deliberatione Edwardi filii nostri charissimi et securitate inde facienda nec non et aliis arduis Regni nostri negociis." [*Close Roll*, 49 *Hen.* III. *m.* 10 dorso.]

[4] See Brady's *Introduction* &c., 71.

[5] This is the preferable spelling according to *Du Cange*, who has (*s. v.*)—"PARLIAMENTUM, sæpius apud Anglos, pro *Parlamentum.*"

[6] *Matthæi Paris. Additamenta* (ed. Luard), vi. 175; ed. Wats (1640), page 170, line 34.

In the following year (1266), while he was besieging the castle of Kenilworth, the king's anxiety for due observance of the two charters was once more displayed by the issue of the following writ directed to the sheriff of *Yorkshire* :—

October 1266. *Rex vicecomiti Ebor. salutem Quia ad communem regni nostri utilitatem volumus modis omnibus quod magna Carta nostra de libertatibus secundum omnes et singulos articulos in ea contentos decetero plene et inviolabiliter observetur per nos et prelatos ac magnates ejusdem regni concorditer est provisum tibi precipimus quod Cartam nostram de eisdem libertatibus quam anno preterito communitati predicti comitatus cui misimus in pleno comitatu illo et alibi in balliva tua ubi videris expedire legi et ipsam secundum omnes et singulos articulos in eadem Carta contentos decetero plene observari et firmiter teneri facias et hoc nullo modo omittas etc.*[1] [*Close Roll*, 50 *Hen.* III. *m.* 1 dorso.]

Further, in the "Statute of Marlborough," made 18 November 52 *Hen.* III. (1267), a clause was inserted, directing the general observance of the Great Charter in these terms :—

"*Magna Carta*[2] *in singulis suis articulis teneatur tam in hiis que ad regem pertinent quam ad alios et hoc justiciariis in itineribus suis et vicecomitibus in suis comitatibus cum opus fuerit demandetur et brevia versus eos qui contravenerint gratis concedantur coram rege vel coram*[3] *banco vel coram justiciariis itinerantibus cum venerint ad partes illas.*"

The translation of the relics of *Edward* the Confessor, from the shrine in which they had been first placed to a new shrine[4] of gold

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[1] No *teste;* but the last dated entry has :—"*T. R. apud Kenill' iiij. die Octobris.*"

[2] *Red Book of the Exchequer*, fol. 243; printed in *Statutes of the Realm*, i. 20.

[3] "*coram* justiciariis de *banco*" is the reading of *Cotton MS.* Claudius D. ii. fol. 163, from which source *Blackstone* printed (*The Great Charter* &c. 79) the "fifth chapter of the statute made at Marleberge."

[4] An account of money expended (£2,421. 19*s.* 1½*d.*) on the works at Westminster from Mich. 52 to Christmas 54 *Hen.* III. (1269) is entered on the *Pipe Roll* of 53 *Hen.* III. After mention made of free stone from Caën and Reygate with other things, an item occurs of wages paid to four goldsmiths working about the new shrine of Saint *Edward* (*et stipendiis iiij*^{or} *aurifabrorum operancium circa novum feretrum beati Edwardi*). Other workmen employed are enumerated in the concluding item which runs thus :—"Et in stipendiis quorundam cementariorum pavatorum ante feretrum beati Edwardi carpentariorum pictorum plumbariorum vitriariorum minutorum operariorum et diversis operacionibus positis et factis ad tascam et expensis quorundam nunciorum missorum ad diversa loca pro negocio dictarum operacionum per predictum tempus sicut continetur in Rotulo de eisdem particulis—M^{l}.CCC.xliiij. li. xiv. s. v. d." See also *Pipe Roll*, 52 *Hen.* III. R° compotorum; Christmas 51 to Mich. 52 *Hen.* III.

adorned with precious stones, took place on Sunday, 13 October 1269, and was conducted with great state and ceremony. The church of Westminster had been then newly built by the king, and the monks performed Divine service therein for the first time.[1] *Henry* had convoked for this solemnity all the prelates and nobles together with the more powerful persons of cities and boroughs; and, if we are to believe *Wykes*,[2] the opportunity was taken, after the celebration was concluded with the banquet that immediately followed, to hold a Parliament in which the king obtained the grant of a Twentieth part of all moveables to be paid to him, certain persons in every county being assigned by his council for its collection. 13 Oct. 1269

"Celebrato[3] tandem tante translacionis sollempnio ceperunt nobiles ut assolent parleamentacionis genere de regis et regni negociis pertractare[4] in quo regis astucia ymo ut verius dicam extorsionis cupidinose nervicia prevalente anuentibus regni majoribus vel contradicere non audentibus[4] concessum est quod de universis laycorum mobilibus per regnum Anglie sibi vicesima solveretur ut non solum ut prediximus clericorum marsupia per quadriennalem decimarum extorsionem vacua redderentur sed et regis insaciata cupido laycorum medullas profundissime scrutaretur quod et equitatis lance librata contigisse dinoscitur ut laycos[5] qui cum dirisione maxima clericorum dampnis applaudere consueverant sic propria dispendia deplorarent Et licet in cunctis regni comitatibus f. 56 b. certe fuissent per regis conciliarios assignate persone ad dictam vicesimam colligendam non potuit tamen pecunia[4] proveniens subito congregari Sed protracta est taxacio pariter et colleccio usque quadragesimam et estatem sequentem unde orta est in populo murmuracio in principio[6] fortiter invalescens quippe dum taxatores vacuatis interim horreis et quadrupedibus mortuis vel occisis ea que tunc invenerant taxare vel estimare racionabili precio voluissent regia cupiditas tali taxacione seu precio non contenta compulit ut secundum fere verum valorem prout in festo sancti Michaelis proximo precedente quecumque bonorum genera habebant mobilia pariter et immobilia taxarentur unde factum est ut dicto murmure non obstante quod primo concessum fuit ex gracia quasi necessitate cui contradici non potuit non sine maximo plebis gravamine solveretur Et licet innumerabilis[7] inde pecunia proveniret in modico vel in nullo videbatur regis errarium augmentari Porro per proceres et prelatos qui tante contribucioni mutuum prebuerunt assensum non modica

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[1] *Eodem die monachi Westmonasterienses infra novam structuram prima vice divina misteria celebrabant. Wykes.*

[2] *Annales Monastici* (ed. Luard), iv. 227.

[3] *Cotton MS.* Titus A. xiv. fol. 56.

[4] *pertractate, audientibus, pecuni*, in the manuscript. [5] Read *layci.*

[6] So I read the word written "p^{i}n^{o}," and *not* "pretio"; as Dr. *Luard* in *Ann. Mon.* iv. 228.

[7] The total receipt was £31,848 17*s.* 10½*d.*; as appears by the *Pipe Roll*, 1 *Edw.* I., quoted below (p. 105).

porcio pecunie supradicte in subsidium peregrinacionis domini Edwardi in terram sanctam salubriter fuerat assignata."

This narrative of *Wykes*, which from the surrounding circumstances carries with it an air of extreme probability, has been followed by all historians. They have also with the same implicit confidence accepted and perpetuated his statement as to a Twentieth having been granted by this parliament, although it cannot be accommodated to the fact, that the king had written two months before with minute instructions for the levy and collection to be made. His letter is entered in the register of bishop *Giffard* (f. 21) at Worcester; and it is clear, therefore, that the grant of the Twentieth in question must have been made in some parliament holden before 7 August 1269, on which day the king wrote to the bishop, enclosing the form of the oath to be taken with other detail concerning the tax.

The register has been carefully examined on this point, and the date verified—*T. me ipso apud Cicestr' vij. die Augusti anno regni nostri* Aug. 1269. *l°iij°*.[1] The day and place agree exactly with the king's itinerary, which I have been at the trouble of making out for the 53rd year of his reign, *Henry* was at Chichester on the 7th and 8th of August 1269, and at no other time in that year. From Chichester he went on the 9th to Suthwike; on the 10th to Winchester, where he remained for several days.

A search of the *Patent* and *Close Rolls*, as well as the *Memoranda* of this year (53 *Hen.* III.), has failed to discover any inrolment of letters patent, appointing collectors, or ordering the taxation of a Twentieth to be made, although such were undoubtedly issued. This fact is proved by an entry, dated 10 Dec. 1269, on which day the king named *Thomas de Valoynes* to be one of the collectors of the Twentieth in the county of Buckingham, in the room of *Simon de Saint Liz* lately nominated, but by reason of grave infirmity rendered incapable of attending to the taxation ordered.

De Vicesima *Rex universis et singulis de comitatu Buk' etc. salutem*
Cum dilectum et fidelem nostrum Symonem de Sancto Licio una cum Roberto de Totteshale deputaverimus ad vicesimam in eodem comitatu ad opus nostrum taxandam prout in litteris patentibus quas inde habent plenius continetur *et prefatus Symon jam gravi infirmitate detineatur per quod taxacioni predicte intendere non potest ut accepimus substituimus dilectum et fidelem nostrum Thomam de Valoynes loco ipsius Symonis ad dictam vicesimam ibidem una cum predicto Roberto taxandam* in forma in predictis litteris nostris contenta *Et ideo vobis mandamus quod eidem Thome una cum predicto Roberto in premissis* 10 Dec. 1269. *intendentes sitis et respondentes in forma predicta In cujus etc. Teste rege apud Clarendon' x. die Decembris.* [*Patent Roll*,[2] 54 *Hen.* III. *m.* 25.]

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[1] I have to thank the Rev. *T. P. Wadley*, rector of Naunton Beauchamp in Worcestershire, for kindly referring to the manuscript, and for making a transcript of the words here quoted.

[2] See also the same roll, *m.* 25, for a similar entry (*mutatis mutandis*),

In the absence of any inrolment of the letters patent which were sent to the collectors in the several counties throughout England, the only alternative is to gather their purport from the Register *Giffard* at Worcester,[1] which records the following particulars of the procedure ordered to be observed.

Bishops or deans, or priors of cathedral churches in the absence of the bishops, were to receive the oath (in a form enclosed) of the knights chosen in the several counties within their dioceses to collect the Twentieth granted to the king[2] by the magnates and other his lieges in aid of the Holy Land. The knights should, if necessary, be urged to present themselves to be sworn before (*citra*) the feast of the Nativity B.V.M. (8 Sept.), so that they might without further delay proceed, on the morrow of S. *Michael* next following (30 Sept.), to do what was now enjoined, and had already been given to them in command by the king's letters concerning the said twentieth. On being sworn, a transcript of the form of oath was to be delivered to them, in order that they might know and fulfil the things contained therein. Witness the king at Chichester the 7th day of August in the 53rd year of his reign (1269).

The four knights, or two of every county—according to the number chosen—to swear that they would faithfully choose in every hundred twelve of the most loyal and discreet men, who should elect on oath from every township six persons best acquainted with the ability of the residents and thus qualified to appraise and tax the corn, stock, produce of the land and all other moveables as well of nobles and knights as of other laymen; EXCEPT nevertheless war-horses, palfreys and other riding horses (*et aliis equitaturis*) of freemen; and EXCEPT treasure—as in gold, silver, vessels of gold and silver, and precious stones. The said six, so chosen in the several townships, to be sworn that they would make the taxation faithfully and conscientiously; and, in case of failure from any cause, then the knights together with them should retax the premises. After these six persons had taxed the goods of the commonalty of any town, then their own goods were to be taxed by other six sworn in the same form.

It appears also from this register (fol. 26 a) that a council of bishops was held[3] at a date subsequent to the 14th of December 1269, on which day the king wrote to the Taxors in certain counties, touching the Twentieth of corn and other moveable goods which had been granted to him in aid of the Holy Land by the magnates and knights and other

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relating to the taxation for the county of York, and having the *teste* of the king at Clarendon on the 18th of December 1269.

[1] Printed by *Wilkins* in his *Concilia Magnæ Britanniæ et Hiberniæ*, vol. ii. 20.

[2] "*ad vicesimam colligendam nobis a magnatibus et aliis regni nostri fidelibus in subsidium terræ sanctæ concessam.*"

[3] *Wilkins* suggests "circa mensem Januarii vel Februarii, A.C. 1269" [*i.e.* 1269–70]. *Concilia Magnæ Britanniæ*, &c. ii. 21.

lay men; commanding those assigned for levying the tax not to intermeddle at present[1] with the goods of ecclesiastical persons. In this council the Twentieth was discussed, and the bishops sent thereupon an answer to the king to the following effect:—

However much they were aggrieved at this time,[2] yet desiring to assist as far as they could in the prosecution of the king's pious purpose, they were ready to aid him with a Twentieth of their own lands and tenements held in demesne, and of those also of their villains, according to a taxation made *bona fide* by themselves, but not by any other person: so that such subsidy should be assigned to the king, or to his eldest son, whichever of the two might first voyage to the Holy Land, in aid of that land only and to be converted to no other purpose, and to remain deposited with themselves, until one or other should actually set out. Their bondmen or villains in no wise to be charged further in the tallage of laymen. And lest such grant should be turned thereafter to the prejudice of themselves, their successors, or their churches, they prayed for the king's letters patent thereupon.

The several bishops were accordingly allowed to tax the Twentieth, and to collect it by their own ministers; as appears from the Patent Roll (cited below), under date of 26 May 1270, when the king, referring to the favour granted to all the bishops, extends the like grace to the heads of religious houses by letters addressed to the abbots and convents of Saint *Edmund* (Suffolk) and Saint *Augustin* (Canterbury). *Henry*, still professing ardour for the Crusade, and intimating his instant departure for the Holy Land, required that portion of the money, arising from the Twentieth which was levied on the goods of bishops or abbots, to be paid on Midsummer-day following (24 June 1270), in order that he might take it with him. The remainder, raised from the goods of their villains, was to be delivered on Michaelmas-day next (29 Sept. 1270) to the persons deputed by the king for this purpose. The following is the form of the royal letter:—

De vicesima *Rex dilectis sibi in Christo abbati et conventui de sancto Edmundo salutem Cum concesserimus universis et singulis*

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[1] Printed by *Tyrrell* in his *General History of England*, ii. Appendix, n°. 14, from *Close Roll*, 54 *Hen.* III. *m.* 11 dorso.

[2] *Clement* IV., by bull dated at Viterbo on the fifth day before the Ides of June in the second year of his pontificate (*i.e.* 9 June 1266), granted to *Henry* for three years the tenth of all ecclesiastical revenues in England, Ireland and Wales. This bull was published by the cardinal-legate *Ottobuoni* in January 1266–7 (*Close Roll*, 51 *Hen.* III. *m.* 10. in cedula. See also *Papal Bulls*, Box 43, nn. 1–5). The several collectors of the tenth were, with the assent of the king, appointed by the legate (*Patent Roll*, 52 *Hen.* III. *m.* 33). Various sums were paid by way of composition. Thus, *Nicholas* bishop of *Winchester* fined in the sum of three thousand pounds for the whole tenth due from his diocese for the three years (*Patent Roll*, 54 *Hen.* III. *m.* 11).

episcopis regni nostri quod vicesimam ipsos et villanos suos contingentem quam nobis in subsidium terre sancte nuper curialiter concesserint per fideles ministros suos taxari et colligi faciant ita quod pecuniam provenientem de vicesima bonorum ipsorum episcoporum nobis habere faciant in festo[1] *instantis festi sancti Johannis Baptiste nobiscum deferendam in terram sanctam et totam pecuniam de vicesima bonorum villanorum suorum provenientem habeant London' in festo sancti Michaelis proximo futuro nunciis nostris quos ad hoc deputavimus integraliter exhibendam nos de fidelitate et promptitudine vestra plenius confidentes et graciam quam ipsis episcopis in hac parte fecimus intuitu diversarum curialitatum vestrarum nobis pluries factarum vobis facere volentes vobis concedimus ut vicesimam bonorum vestrorum et eciam villanorum vestrorum taxari et pecuniam inde provenientem levari et colligi faciatis ita quod pecuniam illam habeamus terminis predictis in forma supradicta In cujus etc. Teste rege apud Westm' xxvi die Maii.* [*Patent Roll*, 54 *Hen.* III. *m.* 14] 26 May 1270.

By way of further supporting the authenticity of the king's mandate, addressed to the bishop of *Worcester* and entered in the Register *Giffard*, there is the fact that the collectors therein nominated for the county of Gloucester paid at Winchester, on the feast of S. *John Evangelist* 55 *Hen.* III. (27 Dec. 1270), the proceeds of the Twentieth, amounting to £830 18*s.*; for which sum the king gave an acquittance, dated at Reading on the first of January 1270–1. For the avoidance of needless elaboration, I place the evidence in order, thus :—

1. The mandate of the king dated 7 Aug. 1269 ;

2. The king's acquittance (above mentioned) granted to the collectors of the Twentieth in the county of Gloucester ;

3. The receipt for Gloucestershire, extracted from the Receivers' Account[2] of the whole Twentieth.

1. *Henricus* etc. *venerabili in Christo patri G. eadem gracia Wygorn' episcopo salutem Quia de consilio nostro provisum est * * * rogantes quod a dilectis et fidelibus nostris Will'o de Salso marisco*[3] *Will'o de Brasci Ric'o de Amberleg' Henr' de Hakesleg' de comitatu Wygorn' Will'o de Derneford' Maur' de Berkeleg' Grimbaldo Pauncefot et Ric'o de Ripariis de comitatu Gloucestr' electis ad vicesimam hujusmodi colligendam recipiatis sacramentam * * * * Teste me ipso apud Cicestr' vij die Augusti anno regni nostri liij.* [*Register Giffard*, fo. 21.] 7 Aug. 1269.

2. *Rex omnibus etc. Sciatis quod* Mauricius de Berkeleye Ric's de Ripariis Grimbaldus Pauncefot *et* Will's de Derneforde *collectores vicesime*

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[1] In the letter (same membrane) addressed to the abbot and convent of S. *Augustin*, Canterbury, under the same form, the words are :—"*in* die *instantis festi sancti Johannis Baptiste.*"

[2] See also below, p. 104.

[3] *Wilkins* has given this name only (*Concilia*, &c. ii. 20); but, by the kind assistance of Rev. *T. P. Wadley* (before mentioned, p. 92, note 1), I am able to supply the omission.

in comitatu Glouc' per preceptum nostrum liberaverunt dilecto clerico nostro Egidio de Audenarde uni receptorum ejusdem vicesime octingentas et triginta libras et decem et octo solidos de pecunia ejusdem vicesime in predicto comitatu collecta apud Winton' per manus Ric'i Bryan clerici die Sabbati in festo sancti Johannis ewangeliste anno etc. lv^to^ de qua quidem pecunia collectores predictos tenore presencium penitus quietamus. In cujus etc. Teste ut supra[1] [i. e. *Teste rege apud Radinge primo die Januarii*]. [*Patent Roll*, 55 *Hen.* III. *m.* 25.]

1 Jan. 1270–1.

3. *Et de DCCC. xxx. li. xviij. s. receptis de eadem vicesima de Com' Glouc' per manus* Ric'i de Ripariis *et* Grimbaldi Pauncefot *collectorum ejusdem in eodem Comitatu sicut continetur in compoto suo in eodem Rotulo.* [*Pipe Roll*, 1 *Edw.* I. Rot. 6, memb. 2.]

A.D. 1273.

Without going through the labour of searching for similar evidence as regards Worcestershire, I may add the receipt for that county, which names two of the collectors, viz. *William* de *Saltmarsh* and *Richard* de *Aumberle* (*Amberley*) :—

Et de CCC. xliiij. li. vj. s. iiij. d. receptis de eadem vicesima de Com' Wygorn' per manus Will'i de Salso marisco *et* Ric'i de Aumberle *collectorum ejusdem in eodem Com' sicut cont' in eodem Rotulo Et de v. s. ij. d. rec' per manus eorundem de arreragiis ejusdem.* [*Pipe Roll*, 1 *Edw.* I. Rot. 6, memb. 2.]

The collection continued until Lent and the following summer, as stated by *Wykes* in the passage above cited (p. 91). *Henry*, writing to the taxors in the county of York, under date 5 May[2] 1270, alludes to the fact that, although some parts of that county had been dealt with, nevertheless in many places the Twentieth had not yet been taxed, because there was some difficulty in their (the taxors) all being present at one time, and some of them alleged that nothing could be done if two or three only of their number (six in all being here addressed) were present; on which account the business of the crusade had been very much retarded (*propter quod negocium crucis quamplurimum retardatur*). Whereas the time of his passage to the Holy Land is now very near,[3] as they well know, he enjoins all, or even two of them, to attend to the taxation according to the tenor of his letters directed to them thereupon. In case of any being hindered from attending, either by infirmity or by some other arduous business, full power is granted to the taxors to substitute in his or their stead another or others, taking care to receive, in conjunction with the sheriff of the county, his or their oath as to faithful execution. Other entries relating to the Twentieth are found through-

[1] An acquittance of like tenor, though somewhat differently worded, is found on the same roll (*Pat. R.* 55 *Hen.* III.) at *memb.* 24, with the *teste* as here inserted in the text.

[2] *Patent Roll* (n° 87), 54 *Hen.* III. *m.* 16.

[3] "*Et quia tempus passagii nostri in terram sanctam jam instat sicut vos plenius nostis vobis mandamus*" etc.

out this roll.[1] In all of them the king displays great anxiety to have the money brought in without delay, and from time to time acknowledges the receipt of fines paid by way of composition. Thus, for a fine of £100 the citizens of *Worcester*[2] were acquitted (26 March) of the twentieth[1] (*m.* 18); and the burgesses of *Nottingham*[2] fined (29 April) with the king for the same in 60 marks, or £40[1] (*m.* 16). The king agreed (28 April) with *William* de *Holegate*—who seems to have been mayor—to a fine of 200 marks on behalf of the citizens of *Lincoln*, with the alternative that, if they were not content, then a taxation and collection should be made[1] (*m.* 16). Now 200 marks make £133 6*s.* 8*d.*, but the sum actually received from Lincoln was £120 (p. 104). *A.D.* 1270.

For the persons and property, whether in lands, rents or other possessions, of those vowed to the Cross, *Henry* grants his especial protection with the customary immunity from suits at law (subject to certain limitations). *Henry* of *Almain*, going abroad with the king and *Edward* his son (*nobiscum et cum Edwardo filio nostro profecturus sit ad partes transmarinas in subsidium terre sancte*), has royal letters of protection (20 Feb. 1269–70) to endure for four years from Easter following[1] (*m.* 21). On the same day many others have the like; among whom is *Eustace* de *Balliol*. *Edmund* his son, who is shortly to set out for the Holy Land, obtains (1 April 1270) the king's especial grace, that he may let to farm all his lands and tenements in England (except castles and fortalices) to whomsover he will for seven years to come[1] (*m.* 18). On the 26th of May the king writes to the warden and bailiffs of his city of London (*Custodi et Ballivis Civitatis sue London'*). Whereas (he says) we and our sons, with others[3] of our kingdom signed with the Cross, are shortly to set out for parts beyond the sea in aid of the Holy Land (God granting), we will therefore that the Twentieth lately assessed in the city of London be levied without delay towards our own and our sons' expenses in that pilgrimage. We command and firmly enjoin you to cause the said Twentieth to be levied without delay, and that money to be put in the priory of the *Holy Trinity*, London, so that we may have it in the octave of Holy Trinity (15 June) at the latest[1] (*m.* 14). On the same day (26 May) he wrote the letter before quoted (p. 94), asking for money to be paid by the convents of S. *Edmund* and S. *Augustin*, that he might take it with him. On the 20th of June *Henry* by charter granted to his eldest son full power, in anticipation of *Edward*'s prolonged absence in the Holy Land, to dispose at will of his children and his lands of Ireland and of Gascony, the county of Chester (*la Countee de Cestre ove les aportenances*), the islands of Jersey

[1] *Patent Roll* (n° 87), 54 *Hen.* III.

[2] See the item in the account below (p. 105).

[3] "*Cum nos et filii nostri cum ceteris regni nostri crucesignatis in brevi profecturi simus ad partes transmarinas in subsidium terre sancte Domino concedente propter quod volumus quod vicesima nuper assessa in Civitate London' sine dilacione levetur*," etc.

and Guernsey (*des isles de Gereseye e de Gerneseye*), the town and castle of Bristol, the castle of the Peak (*del Chastel del Pecke*) with forest, the castle of S. Briavell with the forest of Dean. He might let them or any of them to whomsoever he would, so nevertheless that the said lands, county, town and islands, forests and castles might not be severed or aliened from the crown of England.[1] The Treasurers of the *Hospitallers* and *Templars*, respectively, and *Giles* de *Audenarde* clerk, were assigned by letters patent, dated 10 July 1270[2] (*m.* 11), to receive the money forthcoming from the Twentieth, and to lay it up in the Treasury of the New Temple, there to be safely kept until other orders should be given. The receivers were empowered to give acquittances to those paying money, as had been already enjoined by word of mouth. Up to the 13th of July, on which day were dated letters of protection granted to eighty crusaders—the form addressed to *John* de *Tybetot*—going in company with the king and *Edward* his son to the Holy Land, *Henry* still held, or affected to hold, his purpose of leading the Crusade in person. In a few days his mind changed. Although, like his son Edward, his heart's whole desire drew him onward to Palestine, high considerations of state obliged him to abandon his long-cherished design, when it seemed to be on the point of accomplishment; because his prelates and magnates in council had deemed it neither expedient nor safe that father and son should both be absent from the realm in these times (*extra regnum istis temporibus*). The exact terms in which *Henry* published his final determination are seen in the following extract :—

De signo Crucis tradito E. primogenito Regis et vicesima sibi concessa.

Rex omnibus etc. salutem Licet nos sicut Edwardus primogenitus noster totis desideriis affectemus transfretare in subsidium terre sancte quia tamen prelatis magnatibus et communitati regni nostri non videtur expediens neque tutum quod nos ambo extra regnum istis temporibus ageremus nos votum nostrum quatenus possumus perfici et regni nostri regimini de consilio dictorum prelatorum et magnatum salubriter prospicere cupientes negocium crucis una cum signo crucis nostre prefato primogenito nostro ex plena et summa confidencia commisimus vice nostra et ad idem negocium quoad votum peregrinacionis nostre et sue prout decet et expedit ad Christiani nominis exaltacionem efficacius peragendum totam vicesimam nobis in subsidium terre sancte per totum regnum nostrum concessam tam collectam quam colligendam eidem primogenito nostro duximus plenarie conferendam. In cujus etc. Teste ut supra (i.e. *Teste rege apud Winton'*

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[1] This charter, $7\frac{1}{2}$ inches wide by $5\frac{3}{4}$ inches high—not including the fold at the bottom which would make the height $7\frac{1}{4}$ inches—is in an excellent state of preservation though *minus* the seal. [*Exchequer. Treasury of Receipt. Miscellanea* $\frac{5}{2}\frac{4}{6}$.] See *Edward*'s grant of custody hereupon made at Winchester 2 Aug. 1270. [*Fœdera*, i. 484.]

[2] *Patent Roll* (n°. 87), 54 *Hen.* III.

*iiij*to *die Augusti*). [*Patent Roll*, 54 *Hen.* III. *m.* 7. Printed in Rymer's *Fœdera*, i. 485.] 4 Aug. 1270.

Putting out of sight altogether the innuendoes which were recorded by *Paris* on a former occasion (p. 82), and proved in the end to be amply justified, there is reason for thinking, that the idea of not joining the Crusade in person was not quite so new to the king's mind as his letter would lead one at first sight to believe. Pope *Clement* IV. had written to the legate more than two years before (9 April 1268) in words very like those now used by *Henry*. The same holy zeal firing the breast of a Catholic prince to vindicate the *Christian* faith is set in the foreground, but weighing it down is the imperative need for the sovereign's presence in his kingdom of England, and especially in these times (*hiis potissime temporibus*). At least the coincidence is so remarkable as to excuse, if not to require, the insertion of the pope's letter, as registered at the Vatican.

Ann. IV. epist. 7. tom. iii.

Clemens etc. O. Sancti Adriani Diacono Cardinali Apostolice Sedis Legato.

Carissimus in Christo filius noster . . Rex Anglie illustris, zelo accensus fidei, tanquam Princeps catholicus, et propagator nominis Christiani ad liberationem terre sancte totis anhelans affectibus, pro ipsius terre subsidio Signum vivifice Crucis assumpsit. Verum quia ejusdem Regis presentia in Regno Anglie hiis potissime temporibus multum esse dinoscitur oportuna; Volumus et per apostolica tibi scripta mandamus, quatinus eundem Regem dummodo mittat pro se dilectum filium nobilem Virum Eadmundum filium suum cum decenti comitiva in subsidium dicte terre a voto Crucis absolvas concessa sibi illa suorum venia peccatorum, de quibus veraciter corde contritus et ore confessus fuerit, que concedi succurrentibus dicte terre in generali Concilio consuevit. Dicto quoque Nobili proficiscenti in terre sancte succursum, de legatis relictis generaliter in predicte terre subsidium, ac redemptionibus votorum crucesignatorum, vel crucesignandorum, usque ad illud tempus, de quo videris expedire, juxta tue discritionis arbitrium providere procures, ut idem nobilis facilius, et efficacius votum huiusmodi exequatur. Datum Viterbij v. Idus Aprilis, anno quarto. 9 April 1268.

[*Vatican Transcripts. Add. MS.* 15,362, fol. 394.]

Notwithstanding the weighty reasons that led to his abandonment of the Crusade in the previous year, all of which were in as full force as ever, *Henry* publicly announced by letters patent,[1] dated at Westminster 16 April 1271, that during a late grievous sickness, when he was beyond all human or earthly help, and when his life was despaired of, in pure devotion and of his own will he had again vowed himself 16 April 1271.

[1] *Patent Roll* (n°. 88), 55 *Hen.* III. *m.* 16. Printed in Rymer's *Fœdera*, i. 488.

to the Cross which he had before resigned to his eldest son. After his vow was made, from day to day his state mended, until now by a miracle he was restored again to health. As a necessary result, he desired by the grace of God to accomplish his vow as soon as possible; and before undertaking his pilgrimage, it was his bounden duty to arrange for payment of his creditors, and to collect a large sum of money for his voyage to the Holy Land. He then proceeds to indicate the multifarious sources of his revenue and to deal with them; but limits the operation of the present writing to one whole year, reserving to himself the option of renewal at the end of that term. If not renewed, then this grant to cease and all things contained therein.

In the first Great Roll[1] of the Exchequer for the following reign is found a full account of this TWENTIETH, as finally audited, showing the sums received from the several counties as well as the cities and boroughs, and also from the clergy, with the manner in which the money was bestowed. From this account—as before done in the case of the Fifteenth (p. 16)—I proceed, first, to make some extracts at length, and then, to exhibit the Receipts and Payments in a more condensed form.

DE VICESIMA REGI CONCESSA

COMPOTUS fratris Ade de Boclaunde thesaurarii Hospital' de Clerkenewell' et fratris Will'i de Medburn' thesaurarii novi Templi London' et Egidii de Audenard quondam clerici de Garderoba domini R. H. de denariis receptis de vicesima eidem domino H. Regi concessis[2] per manus collectorum ejusdem vicesime in diversis Comitatibus sicut continetur in compoto ejusdem vicesime qui est in thesauro per breve Regis in quo continetur[3] quod Rex mand' thes' *etc.*

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IIDEM reddunt compotum de DCCCC.xij. li. vij. s. ix. d. et ob. receptis ad novum Templum Lond' de vicesima predicta in Com. Essex' per manus Will'i de Grantcurt et Will'i de Ripar' collectorum ejusdem vicesime in eodem Com' sicut continetur in compoto eorundem in Rotulo de vicesima qui est in Thesauro Et de xiiij. li. xvj. d. ob. receptis per manus eorundem post compotum redditum Et de DC. iiij^{xx}iiij. li. xviij. s. vij. d. ob. receptis de eadem vicesima in Com' Buk'

[1] PIPE ROLL, 1 *Edw.* I. *Rot.* 6, *membr.* 2. [2] Read "concessa."
[3] See *Close Roll*, 1 *Edw.* I., *mm.* 6 and 5 schedule.

per manus Abbatis de Notele et Thome de Valoynes collectorum ejusdem in eodem Comitatu sicut continetur in compoto suo in eodem Rotulo Et de CC. iiij^{xx}v. li. x. s. receptis de eadem vicesima de Com' Midd' per manus Rogeri de Bacheswrth' et Ric'i de Puntfreyt collectorum ejusdem in eodem Com' sicut continetur in compoto suo in eodem Rotulo Et de CC.lxiiij. li. rec' de eadem vicesima de Com. Hunt' *etc.*

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Et de D. iiij^{xx} li. xv. s. j. d. rec' de eadem vicesima de Com' Lancastr' per manus Benedicti Boneit et Benedicti Bonatr' et sociorum suorum collectorum ejusdem in eodem Com' sicut continetur in eodem Rotulo Et de DCC.lxxviij. li. viij. d. rec' de eadem vic^{a} de com' Notingh' per manus Will'i de Morteyn Prior' de Thurgarton' et sociorum suorum collectorum ejusdem in eodem Com' sicut continetur in eodem R^{o} Et de CCC.lix. li. xij. s. ij. d. rec' de eadem *etc.*

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Summa omnium summarum precedencium—xxvij. Mill' xiij. li. vij. d. ob'.

IIDEM reddunt comp' de CC. iiij^{xx}v. li. iij. s. rec' de vicesima Civit' London' per manus Walteri Box et Roberti Hayrun sicut continetur in predicto R^{o} Et de *etc.*

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Summa—MM. iiij^{xx}vj. li. xvj. d.

IIDEM r. compot' de l. li. rec' de episcopo Elyens' per manus Walteri de Wylburgham de auxilio R. H. concesso ad peregrinacionem R. E. in terram sanctam Et de xvj. li. rec' de Ep'o Exon' de eodem per manus Rogeri de Taunton' Et de l. li. rec' de ep'o Lincoln' de eodem *etc.*

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Summa—D.xlj. li. vj. s. viij. d.

IIDEM r. comp' de M.DCCC.xlviij. li. ix. s. iij. d. de quibusdam Abbatibus Prioribus et aliis viris religiosis pro vicesima sua et villanorum suorum quorum prelatorum nomina continentur in quodam Rotulo quem predicti liberaverunt in Thesauro.

Summa tocius recepte—xxxj Mill. CCCC. iiij^{xx}viij. li. xvij. s. x. d. ob'. In th'o n^{l}.

ET Regi ante quam esset Rex in recessu suo versus terram sanctam per manus Stephani de Lond' Capellani sui et Johannis Page anno r. r. H. patris sui liiij^{to}. xiij. Mill. mar. sicut continetur in quodam Rotulo cui appensum est sigillum Roberti Burnel Et eidem Regi anno predicto per manus Roberti Burnel et Math'i Charrun MMM.CCC.xliiij. m. vij. s. iiij. d. in Itinere suo versus Doveriam Et eidem Regi per manus Luc' de Luk' et sociorum suorum mercatorum de Luk' anno predicti Regis H. lv. v. M. mar. sicut continetur ibidem Et eidem per manus Jacobi de Luk' et sociorum suorum mercatorum de Luk' anno predicto. MM. mar. sicut continetur ibidem Et eidem per manus dicti Luce et sociorum suorum mercatorum de Luk' et Peregrini de la Poynte anno predicti R. H. lvj^{to}. DCCC.xxxix. mar. ix. s. sicut continetur ibidem.

Summa denar' liber' et missorum Regi—xxiiij. Mill. C. iiij^{xx}iiij. mar. iij. s.

ET Henr' de Allem' proficiscenti cum Rege in subsidium terre sancte se xv. milite die Sabbati in crastino sancti Jacobi apostoli anno ejusdem H. R. liiij.^{to} apud novum Templum Lond' per manus Michaelis Maucondut militis sui. M.D. mar. sicut continetur ibidem Et Rogero de Leyburne ad proficiscendum cum Rege se x^{o} milite ibidem et eodem die M. mar. sicut continetur in eodem R^{o} Et Briano de Branton' proficiscenti cum eodem se altero milite CC. mar. sicut continetur ibidem Et Rogero de Clyfford' proficiscenti *etc.*

26 July 1270.

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Et Edmundo fratri Regis tunc filio dicti H. R. proficiscenti post Regem x. Mill. mar. sicut continetur ibidem Et G. de Clare Com' Glouc' qui debuit proficisci post Regem per

manus Ade de Blechingl' clerici sui in vigilia Omnium Sanctorum anno predicto . M. mar. [de prestito] sicut continetur ibidem. de quibus idem Comes respondet in Glouc' in R. nono

Summa den' lib' militibus predictis—xxij. Mill. D. mar.

Et Civibus Wygorn' quibus Rex tenebatur pro quibusdam debitis suis lxxv. mar. sicut continetur ibidem Et Amato de Cuntyf' in partem solucionis debitorum in quibus Rex ei tenebatur C.l. mar. iiij. s. xj. d. sicut continetur ibidem Et Rad'o de Aubeney militi per manus episcopi Bathon' in partem solucionis debitorum in quibus Rex ei tenebatur C.xxij. m. xj. s. ix. d. ob. sicut continetur ibidem Et Egidio de Audenard quondam clerico domini H. R. ad jocalia R. inpignorata in Francia acquietanda iiij^{xx}iiij. m. x. s. sicut continetur ibidem Et Elye de Berkweye pro expensis suis factis circa vicesimam R. colligendam in Com. Essex' et Hertford' xxvij. mar. vj. s. x. d. sicut continetur ibidem Et Hugoni de Kendale clerico pro expensis suis circa eandem vicesimam colligendam in Com. Ebor' xxv. mar. sicut continetur ibidem Et Simoni de Hereford' clerico ad expensas suas et sociorum suorum in partibus quinque portuum xxxij. s. sicut continetur ibidem Et predictis receptoribus vicesime pro quibusdam minutis expensis factis circa eandem vicesimam xxix. s. iiij. d. sicut continetur ibidem Et in expensis Walteri de la Haye et Iteri clerici factis circa vicesimam colligendam in Com. Heref' xiij. li. vij. s. viij. d. sicut continetur ibidem Et in expensis Will'i de Lisins factis circa vicesimam colligendam in Com. Devon' ix. m. sicut continetur ibidem Et Galfr'o de Picheford' Constabulario de Wyndles' ad vivarium R. ibidem reparandum . xv. mar. sicut continetur ibidem Et magistro Henr' de Bray eunti ad capiend' seisinam de terris Georgii de Cantilupo ad expensas suas . xv. mar. sicut continetur ibidem.

Summa denar' liber' dictis Civibus et aliis superius allocatis—D.xlix. mar. ij. s. vj. d. ob'.

Summa omnium precedencium misarum—xlvij. Mill. CC.xxxiij. mar. v. s. vj. d. ob'. In libris—xxxj. Mill. CCCC. iiij^{xx}viij. li. xviij. s. x. d. ob'. Et quieti sunt.

[*Secundus Rotulus Compotorum*]

The statement made by *Wykes*, that the king's treasury was but little, if at all, augmented (p. 91) by this Twentieth, is verified by the last paragraph beginning "Et Civibus Wygorn'," which shows a sum of £366 (the equivalent of 549 marks) 2*s.* 6½*d.* only as coming to *Henry*; and even out of this amount £51 9*s.* 2*d.* are seen to have been allowed in payment to various persons who were employed in the collection of the tax.

The full Account, translated and abstracted from the *Pipe Roll* is as follows :—

County	£.	*s.*	*d.*
Essex	912	7	9½
Rec[d] after Acc[t] rendered ...	14	1	4½
Buckingham ...	684	18	7½
Middlesex	285	10	—
Huntingdon ...	264	—	—
Cambridge	863	9	8½
Berks	551	5	10
Derby	479	—	—
Leicester	836	13	4
Rec[d] further ...	1	3	8
Suffolk	1,014	9	8½
Sussex	717	15	0½
Kent	2,322	10	—
Hertford[1]	533	3	7
Wilts...	911	17	2½
Warwick	515	16	4
Rutland	220	15	5
Lincoln	2,208	2	8
Westmerland ...	190	2	1
Northampton ...	1,107	14	0½
Stafford	500	—	5
Somerset and Dorset ...	1,652	8	0½
Hundred of *Ralph de Daubeney* in co. Somerset ...	20	—	—

County	£.	*s.*	*d.*
Northumberland ...	477	8	11
Newcastle-upon-Tyne ...	100	—	—
Surrey	314	3	4
Hereford	390	13	10
Arrears in said county. ...	16	—	—
Hundred of Urchenfeud ...	51	5	7½
Norfolk	1,872	3	9
Worcester	344	6	4
Arrears	—	5	2
Bedford	322	17	2½
Cumberland... ...	436	11	11½
Southampton ...	462	10	9½
LANCASTER... ...	580	15	1
Nottingham... ...	778	—	8
Salop	359	12	2
Oxford	600	—	—
Cornwall	100	4	11
Gloucester[2]	830	18	—
Devon	270	16	8
Hundred of Lifton	8	—	—
York	1,889	1	4
Sum of all the foregoing sums	£27,013	—	7½

Cities and Towns[3]	£.	*s.*	*d.*
London	285	3	—
Rec[d] further ...	1	13	10

Cities and Towns	£.	*s.*	*d.*
Ludlow[4]	20	—	—
Lincoln	120	—	—

[1] Written "Hereford." See that county in the next column.

[2] See the extract from the Patent Roll, printed above (p. 96), and being an acquittance from the king for this precise sum.

[3] The town of Newcastle-upon-Tyne is placed in the counties under "Northumberland." See above.

[4] Lodelawe.

Cities and Towns	£.	*s.*	*d.*	*Cities and Towns*	£.	*s.*	*d.*
Northampton ...	29[1]	13	4	Scarborough	66	13	4
Portsmouth[2]	10	—	—	Worcester	100	—	—
Nottingham	40	—	—	Southampton ...	33	6	8
York	200	—	—	Rochester	14	—	—
Salop	38	1		Norwich	37	3	6
Canterbury	40	—	—	Stamford	66	13	4
Lynn[3]	66	13	4	Grantham[5]	33	6	8
Winchester	90	—	—	Malling	10	—	—
Yarmouth[4]	100	—	—	Colchester	13	6	8
Ipswich	20	—	—	Bedford	20	—	—
Grimsby	66	13	4	Cinque Ports... ...	563	6	8

Sum £2,086 1 4

Next follow the sums received from eleven bishops[6] and the archbishop of York, which in all amount to £541 6*s.* 8*d.* Then, the receipt from abbots, priors and other religious men, being £1,848 9*s.* 3*d.*

GENERAL SUMMARY OF RECEIPTS.

	£.	*s.*	*d.*
Counties (including the town of Newcastle-upon-Tyne)...	27,013	—	7½
Cities and towns	2,086	1	4
Bishops (including the archbishop of York)	541	6	8
Abbots, priors and other religious men	1,848	9	3

Sum Total £31,488 17 10½

GENERAL SUMMARY OF PAYMENTS.

	Marks	*s.*	*d.*
Delivered and sent to *Edward* (now king) at and after his departure for the Holy Land	24,184	3	—
Delivered to *Henry* of *Almain*, and other knights going to the Holy Land	22,500	—	—
Delivered and allowed to the citizens of Worcester and others	549	2	6½

Marks 47,233 5 6½

which sum is equal to

[7]£31,488 18 10½

[1] "xxix" altered to "xxx," and xiij. *s.* iiij. *d.* left. The amount required here to make the total correct is £30 0*s.* 0*d.*

[2] Portesmue. [3] Len. [4] Gernemuthe. [5] Graham.

[6] They are named in this order—Ely, Exeter, Lincoln, Sarum, Bath, Carlisle, Winchester, London, Worcester, Norwich, York, Rochester.

[7] The excess of one shilling over the amount received is not noticed on the roll.

Tallage, Scutage, Aid, Carucage.

A general summary of the taxes laid upon the people during this reign has been cited above (p. 70) from *Cartæ*; and a particular description of each impost with its date—as well as it can be ascertained—is formulated in the "TABLE OF TAXATION" prefixed, to which the reader is referred. The classes named in the heading of this section are kept apart from the Subsidies for greater convenience, and in order to allow of general illustration.

TALLAGE

TALLAGE, or Talliage—from the French *taille*—was used to denote part of a man's substance paid by way of Tribute, Toll or Tax. It was of two kinds; one paid to the king, the other to a subordinate lord. Seeing that *Madox* has devoted to this subject an entire chapter containing 79 pages,[1] under the heading "Of the Revenue arising by Tallage," little need be attempted here beyond a bare definition followed by examples of Tallage paid in the county of LANCASTER.

The Tallage rendered to the king was raised upon demesnes in his own hands, escheats and wardships, and upon towns and boroughs of the realm. The proportion in which it was levied does not clearly appear, but it may have been a tenth, for the words *tallagium decimarum* were found by *Madox* to have been employed in the *Pipe Roll* of 6 *Ric.* I. in an entry extracted by him (i. 730, note *a*):—"In Perdonis, per breve Regis, prædictis Hominibus, xxxix l. & v s. & ij d., propter Tallagium Decimarum: Et Q. e. *Mag. Rot.* 6 *R.* 1. *Rot.* 12. *a. Devenescira.*"

A general tallage was ordered in 11 *Hen.* III. (30 January 1226–7), because the king believed that an opportunity was then given to him of recovering his inheritance abroad, for which purpose he intended to cross the sea immediately. He therefore caused all his cities, boroughs and demesnes to be talliated in the several counties by commissioners appointed to act in conjunction with the sheriff. The persons nominated for Yorkshire were *Alexander* de *Dorsete* and *Simon* de *Hal*; and they were commanded, after the assessment had been made by them in that county, to proceed to Lancaster, and together with the sheriff to assess tallage there, and in other of the king's boroughs and demesnes in Lancashire;[2] so that one moiety thereof should be paid into the Exchequer to the king's use at the Close of Easter then coming (18 April 1227), and the other moiety at the feast of S. *John* Baptist following (24 June 1227).

The return thereupon made is recorded on the *Pipe Roll* of 11 *Hen.* III. as follows:—

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[1] *The History and Antiquities of the Exchequer* &c. i. 685–763.

[2] *Close Roll*, 11 *Hen.* III. *m.* 19 dorso; printed in *Rot. Litt. Claus.* ii. 269 a.

[*Rot.* 1, *membr.* 2]

De[1] Taillagio per Magistrum Alex' de Dorset' et Simonem de Hal.

Villata de Lankastr' r. comp. de xiij. m. et ij. s. de eodem. In th. iiij. li. et vj. s. Et deb. iiij. li. et ix. s. et iiij. d.

Villat' de Liverpul r. comp. de xj. m. et vij. s. et viij. d. de eodem. In th. lxxv. s. Et deb. lxxix. s. et iiij. d.

Villat' de Westderby r. comp. de vij. m. et iiij. s. et iiij. d. de eodem. In th. lx. s. Et deb. xxxvij. s. et viij. d.

Villat' de Everton r. comp. de v. m. et ij. s. et iiij. d. de eodem. In th. xl. s. Et deb. xxix. s.

Villat' de Magna Crosseby r. comp. de viij. m. et v. s. de eodem. In th. lxv. s. Et deb. iij. m. et dim'.

Villat' de Samford' et de Burton' et Wurdeshal' et de Flixton' r. comp. de viij. m. et v. s. et iiij. d. de eodem. In th. xlij. s. Et deb. lxx. s.

Villat' de Singelton' r. comp. de iij. m. et v. s. et viij d. de eodem. In th. xx. s. Et deb. xxv. s. et viij. d.

Villat' de Brocton' r. comp. de iiij. m. et x. s. et viij. d. de eodem. In th. xl. s. Et deb xxiiij. s.

Villat' de Preston' r. comp. de xv. m. et vj. d. de eodem. In th. C. et x. s. Et deb. iiij. li. et x. s. et vj. d.

Villat' de Sline r. comp. de xxx. s. et viij. d. de eodem. In th. xxx. s. Et deb. viij. d.

Villat' de Wra r. comp. de v. s. de eodem. In th. iiij. s. Et deb. xij. d.

Villat' de Riggebi r. comp. de dim. m. de eodem.

Villat' de Stanhull' iij. s. de eodem.

Tenentes in theinnagio x. m. pro habendo respectu ne tailientur.

ID' vic. r. comp. de xxiiij. s. de taill' de Overton'. Et de xv. s. et vj. d. de taill' de Scherton'. In th. lib'.

Et quietus est.

Tallage is sometimes called *auxilium*.[2] Thus in a roll relating to Wiltshire—"Summa secundi auxilii x. sol. quos idem vicecomes recepit

[1] This entry immediately follows (in a new line) the words "sociorum ejus" (p. 39).

[2] "In the elder Times it was usually called *Donum* and *Assisa*." So

de quodam Edmundo et nichil amplius datum fuit de illo tallagio."[1] Again, "de auxilio villarum" in the *Pipe Roll* of 23 *Hen.* II., referred to in the *Red Book of the Exchequer* (fol. 209) under the heading :—"Incipit Rotulus R. H. xxiij" (f. 208). "Maneria talliata hoc anno" (f. 209). As early instance of tallage assessed in this county, I here extract the entries at length from the original.

LANCASTRA

RAD' fil' Bernard' redd. Comp. de CC. li. de firma ejusdem Honoris. In thesauro C. et xlvj. li. et iiij. s.
Et In terris Datis *etc.*

Et Quietus est.

* * * * * *
* * * * *
* * * * * *

De auxilio villarum ejusdem Honoris per[2] Will' fil' Rad' et Will' Bass' et Mich' Bel'.

ID' Rad' redd. Comp. de xxxviij m. et ij. s. et iiij. d. de aux' de Lancast[a] In th'ro xxv. li. et iij. s. et iiij. d. Et deb. dim. m.

ID' Rad' redd. Comp. de xvj. li. et x. s. de aux' de Preston' In th'ro xv. li. et xiij. s. et viij. d. Et deb. xvj. s. et iiij. d.

ID' Rad' redd. Comp. de ij. m. et dim. de aux' de Torp. In th'ro xvij. s. et ix. d. Et deb. xv. s. et vij. d.

ID' Rad' redd. Comp. de lxxij. m. et dim. de aux' Teinorum et Drengorum. In th'ro xlvj. li. et vj. s. et viij. d. Et deb. xl. s.

ID' Rad' redd. Comp. de dim. m. de aux' de Slina.[3] Et de j. m. de aux' de Overton'. Et de x. m. de aux' de Hest. Et de j. m. de aux' de Oxicliva. Et de j. m. de aux' de Pressora. Et de xxx. s. de aux' de Hamelton'. Et de dim. m. de aux' de Steinola. Et de v. m. de aux' de Singelton'.

Madox, who then produces some precedents—beginning with the earliest Pipe Roll (then called 5 *Stephen*)—relating to the payments which were called *Donum*, *Assisa*, and *Tallagium*. [*Hist of Exch.* i. 694]

[1] *Coram Rege*, 6 *Ric.* I. (No. 4) *m.* 6 dorso. "Hundr' de Wind'dich'." But see under AID (p. 128), that *auxilium* may here refer to scutage.

[2] These names are extended by *Madox* (i. 131, note *w*) :—"Willelmum filium Radulfi et Willelmum Basset et Michaelem Belet."

[3] The original is here arranged in four columns symmetrically.

Et de xxxiiij. s. et viij. d. de Westderbi. Et de ij. m. de aux' de Hales. Et de xxxvj. s. et viij. d. de aux' de Fornebia. Et de xxxvj. s. et viij. d. de *G*rossebi.[1] Et de j. m. de aux' de Wavertrea. Et de iij. m. et dim. de aux' de Waleton'. Et [de] dim. m. de Tingwella. Et de j. m. de aux' de Litherlanda. Et de iij. m. et dim. de aux' de Niweton'. Et de j. m. de aux' de Salford'. Et de dim. m. de aux' de Burton'. Et de ij. m. de aux' de Ordeshala. Et de ij. m. de aux' de Suoreswurtha. Et de dim. m. de aux' de Cherleton'. Et de j. m. de aux' de Flixton'. Et de dim. m. de aux. de Clifton'. Et de ix. m. de aux' de Cartmel.

S[umma]. xxxviij. li. et iiij. s. et viij. d. In th'ro liberau. in xxv. tall'. Et Quiet^s est.

[*Pipe Roll*, 23 *Hen.* II.]

Tallage was assessed sometimes in gross[2] (*in communi*), sometimes by the poll (*per capita*); and, as it appears by entries in the Close Rolls, the alternative was left to the choice of those who were liable to the tax. These were allowed to compound with the king in a stated sum. The proceeding in use is shown by the extracts here following, which result from an order made 27 January 1228–9 for Tallage to be again taken in Lancashire, after an interval of but two years from that before noted (p. 107). Of the "Westereis" mentioned below, I can offer no further explanation than this. They must be the persons who are named in the *Pipe Roll*[3] of 3 *Hen.* III. under the heading, "Lancastr'. De Tall' Maneriorum." After the items—"Villat' de Lancastr', Preston', Liverpol, Skerton," &c. there occurs this:—"Westrenses Warin' Banastr' deb. xv. m. de eodem." Again, in the *Fine Roll* of 13 *Hen.* III. (cited below), mention is made of "Walenses Banastr'"—surely the same—who fined with the king in twenty marks for being quit this turn of

[1] So written, but an evident error for Crossebi (Crosby). See the previous account (p. 107).

[2] *Henry* ordered his escheator, *John le Moyne*, whom he had appointed in the room of the prior of *Wymundeham* removed from office, to assess tallage in all cities, boroughs and the king's demesnes *citra Trentam* that had not yet been assessed, "*separatim per capita vel in communi prout magis videritis expedire*;" yet so that the rich were not spared, or the poor unduly aggrieved. He was further directed to deliver the estreats of tallage to the several sheriffs *citra Trentam* in order that they might levy the amounts. Dated at Clarendon 10 Dec. 1268. [*Patent Roll*, 53 *Hen.* III. *m.* 26 (or *n°* 56)]

[3] See the Account printed at length below (p. 123).

tallage, and agreed to render that sum in two payments; half at Michaelmas next (29 Sept. 1229), the other half at the feast of S. Hilary following (13 January 1229–30).

De talliandis dominicis Regis in com. Lanc. *Mandatum est vicecomiti Lanc. quod assumptis secum Rogero Gernet et Galfr' Balistar' in presentia eorum talliari faciat omnes theinos regis de comitatu suo et facta diligenti inquisicione de illis qui*[1] *Westereis appellantur qualiter singuli eorum tenementa sua teneant illos similiter talliari faciat eo modo quo debent et solent. Teste ut supra* (i.e. *Teste rege apud Westm. xxvij. die Januarii anno xiij°.*) [*Fine Roll*, 13 *Hen.* III. *m.* 11]

27 Jan. 1228–9.

Mandatum est vicecomiti Lancastr' quod Theyni de com. Lancastr' finem fecerunt cum domino rege per quinquaginta marcas ut quieti sint hac vice de tallagio quod rex super eos per eundem vicecomitem assideri precepit et quod accepta securitate de medietate predictarum L. marcarum reddenda ad festum Sancti Michaelis anno xiij°. et alia medietate ad Pascha anno xiiij° de predicto tallagio hac vice pacem eis habere permittat. Teste ut supra (i.e. *Teste domino rege apud Merleberge xx. die Marcii anno eodem*). [*Fine Roll*, 13 *Hen.* III. *m.* 9]

20 March 1228–9.

pro Walensibus Banastr' *Walenses Banastr' finem fecerunt cum domino rege per xx. marcas ut quieti sint hac vice de tallagio suo quas quidem xx. marcas reddent domino regi ad duos terminos videlicet medietatem ad festum Sancti Michaelis anno xiij° et aliam medietatem ad festum Sancti Hyllarii anno xiiij° et mandatum est vicecomiti Lancastr' quod de predicto tallagio quod ab eis exigit pacem eis habere permittat et averia eorum ea occasione capta eis reddi faciat. Teste rege apud Westm. xvj. die Maii.* [*Fine Roll*, 13 *Hen.* III. *m.* 7]

16 May 1229.

To pass over the intermediate years to a much later date than any of the foregoing. Of the king's demesnes in Lancashire talliated in the 45th year (1261) a record is preserved in the *Close Roll*, 52 *Hen.* III., written on a schedule, or additional skin of parchment, attached to *membrane* 6. The returns of tallage are here arranged in double columns, beginning "Devon," and continued on the back where in the first column, after "Wyltes." and "Kanc." comes "Lancastr."

Dominica Regis talliata anno regni sui xlv^to^

	Lancastr'[2]
Vill' de Lanc' - - - -	xiiij. li.
Vill' de Preston' - - - -	xx. li. ℈ j. m.
Vill' de Brocton' - - - -	C. sol.

[1] In the roll "de illis qui" twice, by mistake.

[2] The same return with greater detail in *Pipe Roll* (106), 46 *Hen.* III.

Vill' de Singelton'	ix. m.
Vill' de Slyne	viij. m.
Vill' de Riggeby	ij. m.
Vill' de Overton'	vj. m. et di.
Vill' de Skerton'	xx. s.
Vill' de Wra	ij. m.
Vill' de Halton'	j. m.
Joh'es de Steynhol	ij. m. et di.
Terra Rob'ti fil' Walteri de Hole	x. s.
Joh'es fil' Rob'ti prepositi de Overton'	x. s.
Rob'tus fil' Ric'i	ij. s. et vj. d.
Walterus de Halton'	j. m.
Joh'es fil' Ad'	v. s.
Ad' de Killet	j. m.
Joh'es fil' Ric'i de Singelton'	v. s.

[*Close Roll*, 52 *Hen.* III. *m.* 6 in cedula]

As already stated (p. 106), Tallage was likewise paid to a subordinate lord. Barons and great men were permitted to have tallage from their own tenants, when the king talliated his demesnes. The writ issued thereupon was addressed to the sheriff of such a county who was ordered to allow reasonable tallage (*racionabile tallagium*) to such a person in his manor, if it had been ancient demesne of the king or of his predecessors, kings of England, and had been heretofore wont to be talliated. The common form of inrolment is, "*Quia rex dominica sua per Angliam facit ad presens talliari mandatum est vicecomiti*" etc.; but the instance here following shows the words of the writ, as from the king in person :—

Pro Rad'o le Fauconer. *Rex vicecomiti Lync' salutem Quia dominica nostra per Angliam ad presens facimus talliari tibi precipimus quod si manerium de Kyleby fuerit antiquum dominicum nostrum vel predecessorum nostrorum regum Anglie et hactenus talliari consueverit in aliis tallagiis dominicorum nostrorum tunc Rad'o le Fauconer racionabile tallagium habere facias de tenentibus suis in manerio predicto sicut in aliis tallagiis nostris fieri consuevit Teste me ipso apud Westm' xxviij. die Octobris anno regni nostri L° secundo.* [*Close Roll*, 52 *Hen.* III. *m.* 1] 28 Oct. 1268.

Tallage of the Jews

So considerable were the sums of money extorted from the *Jews* during this reign under the name of Tallage, that it is scarcely possible to avoid allusion to them. *Madox* has collected several instances from records; and amongst them is one found in *Memoranda*, 28 *Hen.* III.,

showing a tallage to have been imposed upon the *Jews* of sixty thousand marks (i. 225). Beside fines in proceedings at law, amerciaments for misdemeanors (real or alleged), and compositions for freedom to trade and so forth, the king would at pleasure talliate the whole community, obliging the more wealthy to answer for any deficiency from the poorer sort. Upon default at any time, heavy fines were inflicted. In short, the king bore himself as veritable lord of their estates and chattels, arrogating to himself absolute power to deal at any moment with the persons of *Jews*, their wives and their children.[1]

In order to escape the instant assessment of tallage, a fine was at times exacted. Thus, in the year 1269 the community of *Jews* in England fined with the king in one thousand pounds, to have respite of tallage for three years from the date, unless in the mean time the king or his sons should according to their vow proceed to the Holy Land; in which case the king might find need to tax them. The said amount was to be paid in three several sums of 500 marks each, viz. 1, on Tuesday (28 May) after the Octave of the Holy Trinity; 2, on the feast of the Nativity of S. *John Baptist* (24 June); and 3, on Michaelmas-day following (29 Sept. 1269). The money was to be levied to the king's use at those terms; but, so as not to aggrieve poor *Jews* beyond their ability, it was directed that the wealthy members of the body should not be spared in the levy of their contribution to the fine agreed upon. Dated at Windsor 26 May[2] in the 53rd year of the reign (1269).[3]

The only detailed return of Tallage set upon the *Jews*, which can be found readily, is one of an assessment made in 39 *Hen.* III. (1255) and recorded in the *Pipe Roll*, 44 *Hen.* III. (1260). The amount of this however—two thousand marks—is utterly insignificant when compared to the sums before mentioned (p. 111) as quoted by *Madox*. With regard to the largest of these—60,000 marks or £40,000—it far exceeds the total of the TWENTIETH (p. 105) received from the whole of England, and is double the sum (30,000 marks or £20,000) given to the emperor by *Henry* on the occasion of his sister's marriage (page 45, note 3). Turning to the reference given by *Madox* (*Memoranda* [L. T. R.] 28 *Hen.* III. *Rot.* 6 *b*), the record shows that the payment of the 60,000 marks (or £40,000) was to be spread over the space of five years, reckoned from the feast of the Holy Trinity in the 28th year (29 May 1244); the terms of payment being this feast and the feast of Saint *Hilary* (13 January) annually. Thus the *Jewish* community would be liable to a contribution of £8,000 by the year for five years; and this, when they were yet engaged in discharging the arrears of 20,000 marks' tallage but lately assessed upon them: as may be seen by the *Memoranda*, 28 *Hen.* III. (L. T. R.) Ro. 5. Whether Henry succeeded in obtaining this extraordinary

[1] *The History and Antiquities of the Exchequer*, i. 221–225.

[2] In the *Patent Roll*, 53 *Hen.* III. *m.* 12, the date is 25 May (*xxv. die Maij*).

[3] *Exch. Q. R. Memoranda* (42), 52 & 53 *Hen.* III. *m.* 12.

amount, or even a large portion of it, is an inquiry which I am not able to pursue. His writs to the barons of the Exchequer indicate his intention to talliate the community; but to entertain a design and to carry it into execution are not quite the same thing. At least, the greed of the king and the reputed wealth of the *Jews* are brought prominently to view in the two following entries :—

Baronibus pro omnibus Judeis Anglie *Rex concessit eisdem quod non distringantur pro aliquibus debitis in quibus regi prius tenebantur donec ei reddiderint lx. milia marcarum quas regi reddent infra quinque annos videlicet a festo Sancte Trinitatis anno xxviij^o usque in quinque annos sequentes completos. Et ideo etc^a breve* [est] *in for' Mar' et mandatum est vicecomiti Norff' pro Samuel de Norwic'.*

Bar' pro Samuel' fil' Leonis iud' de Ebor' *Rex eisdem Sciatis quod Samuel filius Leonis judei Ebor' finem fecit nobiscum per septem milia marcarum pro relevio catallorum predicti Leonis patris sui et pro catallis prefati patris sui et suis inventis extra archam et ut quietus sit de tallagio sexaginta millia marcarum quod super judeos nostros Anglie assideri faciemus que quidem vij. millia m. nobis reddet infra quinque annos ad eosdem terminos ad quos prefati judei predicta lx^a millia marcarum nobis reddent videlicet ad festum Sancte Trinitatis et ad festum Sancti Hillarii. Et ideo etc^a breve est in for' Mar' et mandatum est justiciariis judeorum.* [*Memoranda* (*L. T. R.*), 28 *Hen.* III. *Ro.* 6 dorso.]

The Tallage of 2,000 marks, assessed upon the *Jews* in England in the 39th year of the king's reign (1255), was distributed throughout the several cities and towns in the following proportions :—

Annus xliiij. R. H.

Secundus Rotulus compotorum

COMPOTUS ejusdem W. [*i.e.* Will'i de Axemue] pro se et Johanne de Wyvill' Simone Passel' fratre Roberto de Mauneby et Magistro Joh'e de Chishull' de tallagio assesso super Judeos Anglie anno xxxix. scilicet de MM. mar. secundum particulas inferius contentas.

IDEM r. comp. de C. et lx. m. de Aaron fil. Abrah' iudeo London' de eodem tallagio Et de C. et xxx. m. de Elya levesk' de eodem Et de CCCC. m. de communa iudeorum Lond' de eodem Et de C.lx. m. de Aaron de Ebor' iudeo de eodem Et de iiij^xx. m. de communa iudeorum Ebor' de eodem Et de xx. li. de Leon' iudeo Lincoln' de eodem Et de xx. li. de Jacob' fil' suo de eodem Et de iiij^xx. et x. m. de communa iudeorum Linc' de eodem Et de xl. m. de communa iudeorum Stanford' de eodem

Et de C. s. de communa iudeorum Notingeham' de eoden
Et de xxvj. m. de communa iudeorum Northampton' d
eodem Et de xx. m. de Pictau' iudeo Bedeford de eoden
Et de xij. m. de Fauntekin iudeo ibidem de eodem E
de C. s. de communa iudeorum ibidem de eodem Et d
lx. m. de communa iudeorum Cantebr' Holm' et Clar' d
eodem Et de lx. m. de communa iudeorum Norwic' d
eodem Et de xxiiij. m. de communa iudeorum Colec' d
eodem[1] Et de C. et xl. m. de communa iudeorum Can
tuar' de eodem Et de xl. m. de Licoric' iudea Winton
de eodem Et de lxx. m. de communa iudeorum Winton
de eodem Et de iiij^{xx}. m. de communa iudeorum Merle
berg' de eodem Et de xlv. m. de communa iudeorum
Wiltun' de eodem Et de xxx. m. de communa iudeorum
Exon' de eodem Et de xxx. m. de communa iudeorum
Bristoll' de eodem Et de xxx. m. de communa iudeorum
☞Colecestr' de eodem Et de xv. m. de communa iudeorum
Hereford' de eodem Et de C. m. de Hake iudeo Wigorn
et communa eiusdem ville de eodem Et de xl. s. de
communa iudeorum W[arw'] de eodem Et de L. m. de
communa iudeorum Oxon' de eodem Et de xxx. m
de Abraham fil' Abrah' iudeo Berkested' de eodem

Summa MM. m. In th. nich. Et in sup[er]plus
quod habet infra M. et xlix. li. et xv. d. et ob
Et deb. CC. iiij^{xx}iiij. li. v. s. iiij. d. et ob. Et r. in R. xviij.
R. E. fil' R. E. in Somers'.

Will's de Axemue r. comp. de DCCCC.xxvj. li. *etc.* Summa
misarum MM.v. li. et vj. s. Et habet de suppl' M.xlix. li.
xv. d. et ob. qui allocantur ei in tall' iudeorum.

[*Pipe Roll*, 44 *Hen.* III. Rot. 1, membr. 2.]

"Tallage,[2] says *Coke*, is a general word for all Taxes. 2 *Inst.* fol. 532." After explaining, under "Stat. de Tallagio non concedendo," the meaning of *Tallagium* or *Tailagium* to be "any charge or burthen"

[1] The contraction "Colec." in this item seems to stand for *Colchester*, and the town which appears below, between the items relating to Bristol and Hereford, should (almost certainly) be *Gloucester*.

[2] See *Jacob*'s (or any other) *Law-Dictionary* under the word "Tallage."

put upon a man by the king or any other, he concludes by saying[1]—"so "as *Tallagium* is a general word, and doth include all Subsidies, Taxes, "Tenths, Fifteens, Impositions, or other burthens or charge put or set "upon any man, and so is expounded in our Books; here it is restrained "to Tallages, set or levied by the king or his heirs." In support of this statement it will be sufficient to cite one instance. A tax, laid upon their rents and chattels by the mayor, bailiffs and citizens of York for the purpose of repairing and strengthening the walls and defences of that city, is called by the king[2] "*quoddam tallagium*." This impost had been resisted by Master *Robert* de *Pykerynge*, dean of the cathedral church of S. *Peter* at York; but he was ordered by the king, under date 1 January 1320–1, to withdraw his opposition and to allow the tallage to be levied according to the ordinance thereupon made by general consent of the citizens there.

Scutage

Scutage[3] was a duty or service arising out of baronies and knights' fees,[4] which compelled attendance on the king, as chief lord, when he went forth to war; with the alternative of paying, in lieu of service, for each knight's fee a sum of money, varied in amount from time to time as necessity might require. It was rendered to the king by all those who held of him *in capite* by knight's service or by serjeanty, and also by all those who held in like manner of wards in the king's hands, whether they were lands of vacant sees, or lands of earls, barons or other free men whomsoever. The persons thus liable are clearly described by the king's own writ, issued in preparation for his voyage to Gascony in 1242, and printed above at length (p. 64). It is there seen that the several sheriffs in England were ordered to cause to be summoned "*archiepiscopos episcopos comites barones abbates et priores milites et liberos homines qui de nobis tenent in capite per servicium militare sive per serjantiam et omnes illos similiter tam milites quam alios tenentes per servicium militare vel per serjantiam qui tenent de wardis in manu nostra existentibus sive sint warde de terris episcopatuum sive

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[1] *The Second Part of the Institutes of the Laws of England*, 532. Sixth Edition. London, 1681.

[2] "*Cum ut intelleximus Maior Ballivi et Cives civitatis nostre Ebor'* quoddam tallagium *super redditibus et catallis suis in eadem civitate pro muris et fossatis ac aliis fortaliciis dicte civitatis reparandis et corroborandis pro salvacione et defensione civitatis illius ex unanimi consensu suo apposuerunt per constabularios wardarum dicte civitatis levandum vos*" etc. [*Close Roll*, 14 *Edw.* II. *m.* 12 dorso.]

[3] The alternative name, "Escuage" (French, *escu*, a shield), has fallen into disuse.

[4] *Madox*, in his great work, *The History and Antiquities of the Exchequer*, i. 619-684, has elaborated this subject, taking especial pains to fortify his account by record evidence.

de terris comitum baronum vel aliorum quorumcumque liberorum hominum."

While the earls, barons and other tenants are to come in person, th writ enjoins the archbishops, bishops, abbots and priors to have the service (*habere servicium suum*) at the place and day fixed; that is, t furnish the requisite number of knights for the fees which they hold, i the proportion of one knight to each fee.

The term of service due for one fee was limited to a period of for days. For example, take the following acquittance given by *Henry* the abbot of *Ramsey*:—

16 Aug. 1267. *Rex omnibus etc. salutem Sciatis quod abbas de Rames' per preceptu nostrum fecit nobis servicium suum in summonicione excercitus nost apud Salop' per quatuor milites a crastino Assumpcionis beate Mar anno etc. quinquagesimo primo per quadraginta dies sequentes de q quidem servicio ipsum abbatem penitus quietamus. In cujus etc. Tes*

15 Feb. 1267-8. *ut supra* [i.e. *rege apud Westm. xv. die Februarii*]. [*Patent Ro* 52 *Hen.* III. *m.* 26.]

The king's tenants who did service to him in person, or by substitut were allowed to have scutage from their own tenants. Beside i numerable entries of such allowance on the Chancery rolls of this reig there yet remain[1] several "Scutage Rolls." From one of these I extra so much as relates to Lancashire, selecting this roll for no other reas than that it concerns *Henry*'s expedition to Gascony which has bee noticed above in detail (p. 65).

Scutagium concessum ad transfretacionem domini H. regis filii reg Johannis in Wasconiam anno regni ipsius regis H. xxvj. de mil tibus subscriptis qui cum rege venerunt.

1 May 1242. *Rex vicecomiti Lancastr' salutem Precipimus tibi quod facias habe dilecto fratri et fideli nostro R. comiti Pictavie et Cornubie in quinden Sancti Michaelis que erit in festo Sancti Edwardi scutagium suum feodis militum que de nobis tenet in capite in Balliva tua scilicet de scu tres marcas pro excercitu nostro contra transfretacionem nostram in Wa coniam anno regni nostri vicesimo sexto Teste rege apud Wintonia j. die Maii.*

Eodem modo scribitur [vic'] *Norf' et Suff' Ebor' Nich'*[3] *Notingha et Derbi Warr' et Leyrc' Norhampt' Bedeford' Buk' Cantebr' Hunten Rotelaund' Essex' et Hertford' Cornub' Berk' Sumerset' et Dors' Her ford' Glouc' Oxon' Staff' et Salop'.*

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[1] For a "List of the Scutage and Marshal's Rolls amongst the Publ Records," see page 71 of a valuable paper, contributed in 1884 to t *Genealogist* (New Series), i. 65–76, by Mr. *S. R. Bird* of H.M. Publ Record Office.

[2] Observe that the *quinzaine* of Saint *Michael* is a precise day, vi the thirteenth of October.

[3] "Nich"[ole] is here used for the county of Lincoln.

Petrus de Sabaudia habet scutagium suum in com. Linc' Sussex' urr' Cantebr' Ebor' Notingeham' Hertford' Norf' Suff' de feodis militum que de rege tenet in capite.

Thom' Greley[1] *habet etc. in comitatibus Kanc' Ebor'* Lanc' *Linc' Oxon' Notingham Rotel' Norf' et Suff'.*

H. de Bohun comes Hereford' et Essex' habet etc. in comitatibus .. rr' anc' *Middlesex'* etc.

Trilor' ab Poel habet etc. in com. Lanc' *et Hertford.'*

[*Tower. Miscellaneous Rolls.* 11/6.]

Allusion was before made (page 61, note 5) to the fines exacted by *Henry*, beside their ordinary scutage, from his military tenants who remained behind in England and so evaded service with him in Gascony. Here are some entries of such exactions taken from the *Fine Roll* of this year (1242) and dated shortly before the king's embarkation at Portsmouth (p. 65).

ro David Cumin	*Rex*[2] *remisit David Cumin transfretacionem suam cum rege in Wascon' pro xx. marcis quas regi dat ro remissione illius passagii unde rex perdonavit ei x. marcas ad eticionem Glascuviensis episcopi Et mandatum est vic' Essex' et Hertford' quod de predictis x. marcis ipsum quietum esse permittat Ita tamen e aliis x. marcis regi satisfaciant ad scaccarium Salvo tamen regi utagio suo. Teste ut supra* [i.e. *rege apud Rading' xxvj. die Aprilis*].	*A.D.* 1242. *m.* 4. 26 April.
ro Rad'o de Cameys	*Rad's de Cameys*[2] *dat domino regi x. marcas pro eo quod possit morari in Anglia salvo regi scutagio suo Et mandatum est vicecomiti Norf' quod eum ad transfretandum non distringat. Teste ut supra* [i.e. *rege apud Winton' xxx. die Aprilis*].	*m.* 3. 30 April.
ro Hugone de Nevill'	*Eodem modo*[2] *scribitur vicecomiti Linc' pro Hugone de Nevill' qui dat v. marcas pro eodem salvo etc.*	
ro Roberto de Everingham	*Robertus*[2] *de Everingham finem fecit cum rege per quinquaginta marcas ut quietus sit hac vice de transfretando cum rege in Wasconiam et pro habendo scutagio suo de eodis militum que de rege tenet in capite Et mandatum est vicecomitibus Norh'f' Ebor' et Linc' Leic' et Notingham quod predictum Robertum non istringant occasione predicte transfretacionis et habere faciant predicto oberto predictum scutagium in quindena Sancti Michaelis scilicet de uto iij. marcas pro excercitu regis contra transfretacionem suam in Vasconiam anno etc. xxvj. Teste ut supra* [i.e. *rege apud Merewell' ij. die Maii*].	*m.* 3. 4 May.

[1] The names of those only who had (by this roll) scutage allowed in Lancashire are here extracted. The foregoing entry (*Peter* of *Savoy*) shows the extended form which applies to those following.

[2] *Fine Roll* (38) 26 *Hen.* III. *part* 1.

A. D. 1242. *m.* 2. Pro Thoma de Gresl' *Mandatum*[1] *est vicecomiti Linc' quod accepta securitate a Thoma de Gresleye de C. marcis per quas finem fecit cum rege pro scutagio et passagio suo eidem Thome scutagium suum de feodis militum etc.*

Pro Com' Warr' *Thomas*[1] *comes Warr' finem fecit cum rege per sexcies xx. libras pro scutagio suo et pro relaxacione passagii sui in Wascon' Et mandatum est vic' Warr' et Leic' quod accepta securitate a predicto comite de predictis sexcies xx. libris ei reddendis scutagium suum ei habere faciat etc. Teste ut supra* [i.e. *rege apud Portesm' v. die Maij*]. 5 May.

Pro Gilb'to de Gaunt *Gilbertus de Gaunt*[1] *finem fecit cum rege pro eodem per ducentas marcas Et mandatum est vicecomitibus Berk' Norhampton' Linc' Ebor' Notingham et Dereby et Oxon' quod scutagium suum ei habere faciant. Teste ut supra.*

The burthen of proving service in his army was thrown upon the king's tenant. Distraint for scutage was made long after the particular campaign, for which it was required, had ended; and the heirs of persons who had been liable at some antecedent period were called upon to show the due discharge of their antecessors. This was done by inspecting the rolls of the Marshalsey of the army, or by producing the king's acquittance by writ. The course of inquiry is exemplified by the following records :—

Pro Galfrido de Caunvill' *Rex thesaurario et baronibus suis de Scaccario salutem Quia dilectus et fidelis noster Galfridus de Caunvill' asseruit coram nobis quod licet* fuerit nobiscum *per preceptum nostrum in excercitu nostro Wallie anno regni nostri decimo in comitiva Will'i de Valencia avunculi nostri defuncti pro servicio suo nobis debito in excercitu predicto de feodis militum que de nobis tenet in capite vos tamen pro scutagio nobis reddendo de eodem excercitu graviter distringi facitis in ipsius dispendium manifestum vobis mandamus quod si per inspeccionem rotulorum dicti Will'mi vobis ad Scaccarium predictum de nominibus ipsorum qui fuerunt in comitiva ejusdem Will'i per preceptum nostrum in excercitu predicto ut dicitur liberatorum vobis constiterit prefatum Galfridum* nobis fecisse servicium suum *in comitiva predicta ut predictum est tunc districcionem ei per vos pro scutagio predicto factam relaxari faciatis et ipsum de scutagio illo quietum esse faciatis Alioquin inquisita super hoc plenius veritate de eo quod inde inveneritis nobis sub sigillo dicti Scaccarii distincte et aperte sine dilacione constare faciatis remittentes nobis hoc breve et districcionem predictam faciatis interim relaxari. Teste rege apud Honeton' xiij. die Maij.* [*Close Roll* (119), 25 *Edw.* I. *m.* 18.] Scutage 10 Edw. I. 13 May 1297.

[1] *Fine Roll* (38) 26 *Hen.* III. *part* 1.

Pro Will'mo filio Rad'i Russel — *Rex thesaurario etc. Quia Radulphus Russel defunctus qui de nobis tenuit in capite* habuit servicium suum nobiscum *per preceptum nostrum in excercitu nostro Wallie anno regni nostri quinto pro feodo unius militis quod tunc pro medietate baronie de Novo Mercato nobis recognovit sicut per inspeccionem rotulorum Marescalcie nostre de eodem excercitu nobis constat vobis mandamus quod demandam quam Will'mo Russel filio et heredi predicti Rad'i fieri facitis per summonicionem scaccarii nostri predicti pro scutagia ad opus nostrum de excercitu predicto relaxari et ipsum inde quietum esse faciatis. Teste rege apud Novum Castrum super Tynam xxiij. die Novembris.* [*Close Roll* (121), 27 *Edw.* I. *m.* 20.]

Scutage 5 Edw. I. — 23 Nov. 1298.

Bar' pro Adam de Everingham — *Quia Adam de Everyngham defunctus finem fecit cum rege in excercitu suo Wallie anno regni sui quinto pro servicio duorum feodorum militum et dimidio quod tunc regi recognovit* sicut per inspeccionem rotulorum Marescalcie de eodem excercitu *regi constat mandat baronibus quod Adam de Everingham nepotem et heredem predicti Ade de scutagio quod ab eo exigi faciant ad opus regis per summoniciem scaccarii predicti pro excercitu regis predicto quietum esse faciant. Teste rege apud Kenyngton' xxiij. die Maii anno xxxiij.*

Scutage 5 Edw. I. — 23 May 1305.

Baron' pro eodem — Quia Robertus de Everyngham defunctus *finem fecit cum rege in excercitu suo Wallie anno regni sui decimo pro servicio duorum feodorum militum et dimidio quod tunc regi recognovit* sicut per inspeccionem rotulorum Marescalcie regis de eodem excercitu *regi constat mandat baronibus quod Adam de Everyngham filium et heredem predicti Roberti de scutagio quod ab eo exigi faciant ad opus regis per sum' scaccarii predicti pro excercitu predicto quietum esse faciant. Teste rege ut supra.*

[*Memoranda* (*L.T.R.*), 32 & 33 *Edw.* I. Ro. 40 dorso.]

Scutage 10 Edw. I. — 23 May 1305

The performance of military service was also attested under the hand and seal of the commander or captain-general, and then such certificate was sent to the Exchequer for inrolment; as may be seen in the case here following of *John le Rous*, the fulfilment of whose service was made known by *Aymer de Valence* and *Robert fitz Payn* :—

Baronibus pro Joh'e le Rous — *Edward par la grace de Dieu etc. au Tresorier e as Barons del Escheqier salutz Nous vous envoioms souz nostre prive seal unes lettres overtes seales des seaux noz foials e loials Aymer de Valence nostre chier Cosyn e Roberd le filz Payeng' testmoignantz qe Johan le Rous ad fait pleignement son servise qil nous devoit por une sergantie sicome mesme les lettres pleignement purportent Par quei nous vous mandoms qe vous faciez le dit servise enrouller e alower al dit Escheqier issuit qe le dit Johan ne soit espechiez ne grevez en nule maniere par cele encheson. Don' souz nostre prive seal a Estrivelyn le xxij. jour de Juyl lan de nostre regne xxxij.*

22 July 1304.

Letre patent Mons' Eymer de Valence

Eymer de Valence seigniur de Muntynnack' e Robert filz Payn au Conestable e au Mareschal e au Gardein de la garderobe nostre seign^r le Roi salutz Come nostre seigneur le Roi nous ad assigne a receyvre les servises de bones gentz demorantz ou nous sumes vous fesoms a savoir qe Johan le Rous profri son servise devant nous pur une serjantie par son corps quel servise il ad pleignement fait e fourni par quei nous prioms qe al dit Johan faciez pleine aquitaunce e alowaunce Enquele tesmoignance nous li avoms fait avoir noz lettres overtees ensealees de nos seaux.

[*Memoranda* (*L.T.R.*), 32 & 33 *Edw.* I. Ro. 40 dorso.]

Scutage of Knights of the Honour of Lancaster

By the fact, that of the Honour of Lancaster were held knights' fees in several counties, a plausible excuse is afforded for omitting to notice scutage so intermingled ; but, although not strictly confined to Lancashire,[1] the returns made under this head are none the less useful for showing the manner in which scutages were from time to time answered by the sheriff, and the gradual process whereby that officer cleared his account at the Exchequer. Toward this end the Great Rolls for a few years of this reign, beginning with the earliest extant—that for the first year is wanting—are here used. And, as in the first remaining roll, *i.e. Pipe Roll*, 2 *Hen.* III., mention is made of a "Scutage of Poitou," some explanation is necessary, because this evidently belongs to the former reign, and must precede in date (what is called) the "First Scutage" of *Henry* the Third. The accepted authority upon early scutages is the *Red Book of the Exchequer*, and there it is stated ; that the eleventh scutage of king *John* is found in the sixteenth roll of his reign ; that it was assessed at three marks (or 40*s.*) for the army of Poitou, but could not be imposed (*imponi*) upon the prelates or barons, because nearly all the barons had revolted from their allegiance and, after the capture of London and other cities, had submitted to *Louis* the dauphin of *France* who had come into England by their express invitation. This is a fair version of the passage, and in this sense it was understood by Mr. *Hunter*.[2] These are the words of the original :—

"Undecimum ejusdem regis scutagium annotatum reperies in rotulo regis ejusdem xvj^o^ fuitque assisum ad iij marcas pro excercitu Pictavie

[1] For the names of persons holding knights' fees in Lancashire during this reign, see the printed volume, "Testa de Nevill" (1807, fol.), p. 396 *et seq.*

[2] He has this note :—"King John, who was always needy, made another attempt to levy a scutage of three marks, for the army of Poictou. Swereford thus speaks of it, and at the same time presents us with the testimony of a contemporary to the place of King John's death." He then quotes the words beginning, "Hoc scutagium," &c. [*Report of the Commissioners on the Public Records* (Courts of Justice), ed. 1837, App. 168, note ‡.]

Hoc scutagium nec prelatis nec baronibus potuit imponi eo tempore ropter illud enim divertentes se fere omnes barones a fidelitate regis jusdem introducto in Angl' Ludowico primogenito regis Francorum 'hilippi capta Londonia submissisque sibi aliis civitatibus eidem se ubjecerunt Sicque rex .J. vitam finiens in gwerra regni sui anno xviij°, pud Castrum de Neuwerk' diem clausit extremum sepultus apud Vigorn' in ecclesia civitatis ejusdem cathedrali."—[*Red Book of the Exchequer*, f. 48.]

Now, there can be no doubt whatever, that this "Scutage of Poitou" as not only "imposed," but actually paid; and in the very roll (16 *John*) ndicated by *Swereford*[1] these payments are set down. For instance, nder "Bukingham et Bedeford Scir'" is an item (followed by many thers) showing £60 to have been accounted for by *John* de *Wahull* om thirty fees; of which amount he was pardoned £30 by the king's rit, and paid £17 6*s.* 8*d.*, thus leaving a balance due of £12 13*s.* 4*d.* Observe also in the extract hereunder made that 60 shillings were paid y two other persons, respectively, for one knight's fee and a half.

De Scut' Pictav' ass. ad iij. marcas.

d. vic.[2] r. comp. de lx. s. de Ric' fil' Nigelli de j. f. et dim. Et de lx. s. de Matild' de Bussei de j. f. et dim. In th. lib. Et Quietus est.

oh'es de Wahull' r. comp. de lx. li. de f. xxx. mil. In th. xvij. li. et vj. s. et viij. d. Et in perdon' ipsi Joh'i xxx. li. per breve Regis. Et deb. xij. li. et j. m.

[*Pipe Roll* (60), 16 *John*.]

Moreover, there is a roll in existence (known as *Tower. Miscellaneous 'olls*, 11/1,) which relates to the demands made by the king for scutage the same year (16 *John*). Witness this extract :—

Rex etc. vicecomiti Stafford' et Salop' salutem Mandamus tibi quod 9 Sept. 1214.
abeas coram nobis in crastino Nativitatis Beate Marie apud Westm. utagia que debentur domino Regi[3] *in balliva tua de archiepiscopis quam piscopis abbatibus comitibus baronibus militibus et omnibus aliis nentibus per servicium militare de domino Rege*[3] *in capite et eciam de*

[1] *Alexander* de *Swereford* archdeacon of *Salop*, and a baron of the xchequer in 21 *Hen.* III., is believed to have been the author of the ED BOOK. According to *Madox*, he died in October 1246 and was ıried in the church of S. *Paul*, London.

[2] "Henricus de Braibroc ut custos reddit compotum," *etc.*

[3] Read *nobis*. The Chancery clerk has copied the writ, allowing metimes "tibi" and "nobis" to stand, but altering the mention of e king elsewhere into the third person.

dominicis quam excaetis et guuardis scilicet de scuto iij. m[arcas] *exceptis illis qui scutagium suum habent per breve domini Regis. Teste etc.*[1] *et Ita mandatum est singulis vice comitibus.*

Not only was this scutage paid in 16 *John*, but the sheriffs continued to account for it in the following year, and then in the reign of his successor ; as may be seen by the extracts here following :—

[LANKASTR']

Gileb' fil' Reinfr' Adam filius Rogeri pro eo reddit compotum de CCCC.li. nu'o de firma de Lankastr' de anno [*annis*]. xvj°. et xvij°. regni R. Joh'is In th'ro n[il].

Et in terris datis Will'o fil' Walkelin' xviij. li. in Stauenebi de predicto tempore. Et Nigello de Gresel' ix. li. et xij. s. in Drakelawe. Et Victori *etc.*

* * * * *

First and Seventh Scutages of JOHN.

Milites Honoris de Lankastr' debent xxxv. li. de primo scutagio assiso ad ij. m. Will' Esturmi debet xxvij. s. et x. d. de vij° scut'

* * * * *

De Scut' Pictau[ie] ass' ad iii. m.

Scutage of Poitou.

Idem vic' r. comp. de C. et lvij. li. et xij. s. et ix. d. de Scutagio militum honoris de Lankastr' scilicet de lxxviij. feodis et dim. et iiij[a] parte et xiiij[a] parte. In th' n[il]. Et in perdon' Constabulario Cestrie xxxvj. m. de xij feodis. Et eidem Const' ix. m. de feod' bussell' per breve P. Wint' episcopi. Et debet C. et xxvij. li. et xii. s. et ix. d.

[*Pipe Roll* (61), 17 *John.*]

LANCASTR'

Rann' Comes Cestr' Jordanus fil. Rogeri pro eo redd. comp. de CC. li. nu'o de firma honoris de Lancastr. In th. n[il].

Et in terris datis Rob' Salvag' cum filia et herede Will'mi fil' Walkelin' ix. li. in Stainesby. Et Will'mo de Gresel' iiij. li. et xvj. s. in Drakelawe. Et Victori *etc.*

* * * * *

[1] There is a reference above in the roll to "anno r. d'ni Reg. J. xvj.°" ; so that there can be no doubt as to the exact date, or as to the scutage being that for Poitou assessed at three marks the fee.

Milites honoris de Lancastr' xxxv. li. de primo scutagio assiso ad ij. m. tempore R. J.[1] — First Scutage of John.

* * * * *

Id' vic' C. et xxvij. li. et xij. s. et ix. d. de Scutagio militum honoris de Lancastr' de scutagio Pict'. — Scutage of Poitou.

* * * * *

De Scutagio primo R. H. tercii ass. ad ii. m.

Id' vic' r. comp. de C. et lvij. m. et dim. et xxij. d. de Scutagio mil' honoris Lancastr' scilicet de Lxxviij. f. et dim et quarta parte et xiiij[a] parte. In th. xxviij. li. in xij. tal.' Et deb. Lxvvij. li. et xxij. d. — First Scutage of Hen. III.

[*Pipe Roll* (62), 2[2] *Hen.* III.]

Id' vic'[3] r. comp. de C. et xxvij. li. et xij. s. et ix. d. de scutagio militum honoris Lancastr' de scut' Pict'. In th. nil. Et Nich' de Verdon' xxx. s. de iij[bus] partibus j. feodi per breve P. Wint' ep'i. Et Thom' de Muleton' ij. m. de ij[bus] partibus j[s] feodi per breve ejusdem. Et Eust' de Morit' vj. li. de iij[bus] feodis Rann' de Mereseia per breve ejusdem. Et deb. C. et xviij. li. et xvj. s. et j. d. — Scutage of Poitou.

* * * * *

De primo scutagio.

Id' vic' r. comp. de Lxxvij. li. et xxij. d. de eodem honore Lancastr'. In th. vij. li. et dim. m. Et deb. Lxix. li. et xv. s. et ij. d. — First Scutage of Hen. III.

* * * * *

De Tall[agio] Maneriorum.[4]

Villat' de Lancastr'	...	...	deb.	C.	s.	de eodem.
Villat' de Preston'	...	...	deb.	x.	m.	de eodem.
Villat' de Liverpol	...	...	deb.	dim.	m.	de eodem.
Villat' de Skerton'	...	...	deb.	j.	m.	de eodem.
Villat' de Vuuerton'	...	...	deb.	xx.	s.	de eodem.
Villat' de Schine	...	...	deb.	ij.	m.	de eodem.

Tallage.

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[1] This item, repeated in subsequent rolls, is discontinued in that n° 67) for 7 *Hen.* III.

[2] The Roll of the first year is missing ; but it is seen that the sum £127 12*s.* 9*d.*) brought forward from the *Pipe Roll*, 17 *John*, is unaltered.

[3] Rannulfus comes Cestrie Jordanus filius Rogeri pro eo.

[4] This is the account referred to above (p. 109) under "Tallage."

Villat' de Singelton' ... ... deb. xx. s. de eodem.
Villat' de Riggeby ... ... deb. dim. m. de eodem.
Villat' de Crosseby ... ... deb. v. m. de eodem.
Villat' de Dereby ... ... deb. ẏ m. de eodem.
Villat' de Salford ... ... deb. xx. s. de eodem.
Villat' de Brocton' Alan' de Singelton ... ... deb. xl. s. de eodem.
Westrenses Warin' Banastr' deb. xv. m. de eodem.
Cadwaleset' ... ... dim. m. de eodem.

[*Pipe Roll* (63), 3 *Hen.* III.]

Scutage of Poitou.

Id' vic.[1] deb. C. et xviij. li. et xvj. s. et j. d. de scutagio militum honoris Lancastr' de scut' Pict' de quibus vic. respondet infra de x. li. receptis per Gilleb' Cusin. Et deb. C. et viij. li. et xvj. s. et j. d. Sed respondet infra.

* * * * *

First Scutage of Hen. III.

Id' vic. r. comp. de Lxix. li. et xv. s. et ij. d. de honore de Lancastr' de primo scutagio R. hujus. In th. xvj. li. Et deb. Liij. li. et xv. s. et ij. d.

Scutage of Poitou.

Id' vic. r. comp. de C. et viij. li. et xvj. s. et j. d. de scut' Pict' honoris de Lanc' sicut supra continetur. In th. nil. Et in perdon' Will'o de Basoch' xx. s. de dim. f. per breve P. ep'i Wint.' Et deb. C. et vij. li. et xvj. s. et j. d.

[*Pipe Roll* (64), 4 *Hen.* III.

First Scutage of Hen. III.

Idem vic.[1] Liij. li. et xv. s. et ij. d. de honore de Lancastr' de primo scutagio R. hujus.

Scutage of Poitou.

Idem vic. r. comp. de C. et vij. li. et xvj. s. et j. d. de scut' Pict' honoris de Lancastr'.

* * * * *

Mich' de Carleton' r. comp. de x. m. pro habend' gracia et benevolencia Regis de transgressione quod duxit in uxorem sine licencia Regis Marg' filiam et heredem Will'i de Winewic que erat de donacione Regis. In th. lib.

Et quietus est.

De Scutagio de Biham assiso ad x. s.

Scutage of Biham.

Idem vic. xxxix. li. et vij. s. et vj. d. de feodis ejusdem honoris scilicet de Lxxviij. feodis et dim. et iiij^{ta} parte j^{s}. feodi.

[*Pipe Roll* (65), 5 *Hen.* III.]

[1] Rannulfus comes Cestrie Jordanus filius Rogeri pro eo.

Idem vic'[1] r. comp. de C. et vij. li. et xvj. s. et j. d. de Scut' Pict' de honore de Dancastr'. In th. xl. s. per Rogerum de Monte Begonis. Et lxxvj. s. per Rob' Greslei. Et deb. C. et ij. li. et j. d. Scutage of Poitou.

Idem vic. Liij. li. et xv. s. et ij. d. de primo scutagio R. hujus de eodem honore. First Scutage of Hen. III.

* * * * *

Idem vic. debet xxxix. li. et vij. s. et vj. d. de feodis honoris de Lancastr' de Scutagio de Biham. Sed non debet summoneri quia testatum est quod omnes milites et libere tenentes ejusdem honoris fuerunt in exercitu sicut continetur in brevi Regis quod est in forulo Marescall'. Et ideo quietus est. Scutage of Biham.

[*Pipe Roll* (66), 6 *Hen.* III.]

Idem vic.[1] C. et ij. li. et j. de d. scut' Pict' de honore de Lancastr'. Scutage of Poitou.

* * * * *

Idem vic. Liij. li. et xv. s. et ij. d. de primo scut' R. de eodem honore. First Scutage of Hen. III.

[*Pipe Roll* (67), 7 *Hen.* III.]

Rannulfus Comes Cestr' Jordanus clericus fil' Rogeri pro eo redd. comp. *etc.* de iiij[a] parte anni preteriti In th. nich'. Et in terris dat' Rob' Salvag' *etc.*

* * * * *

Will'mus Comes de Ferrar' Rob' de Munjai ut custos pro eo r. comp. *etc.* de tribus partibus anni preteriti Et de *etc.* de hoc anno. In th. xliiij. li. et vij. d.

* * * * *

Idem vic. r. comp. de C. et ij. li. et j. d. de scut' Pict' de honore de Lancastr' In th. xl. s. per Will'm Pincernam Et xl. s. per Rogerum de Monbegon' Et xx. s. per Rob' de Gresley de dimidio feodo Abbatis de Stanlawe. Et deb. vic. quater xx. et xvij. li. et j. d. Scutage of Poitou.

Id' vic. Liij. li. et xv. s. et ij. d. de primo scutagio R. de eodem honore. First Scutage of Hen. III.

* * * * *

[1] Rannulfus comes Cestrie Jordanus filius Rogeri pro eo.

De Scutagio de Mungumeri assiso ad ij. m.

Scutage of Montgomery.

Id' vic. r. comp. de vj. m. de Will'o Pincerna de eodem de iij f. in Werinton' et Latton' infra Lunam Et de ij. m de Turstano Banastre de eodem de j. f. in Makeresfeld ibidem Et de iiij. m. de Rogero fil' Rann' de eodem de ij. f. in Gamelestone in Notingehamsir' Et de ij. m. de eodem R. de j. f. in Flet in Lincolnesir' Et de j. m. de Galfr' Carbonel de dim. feod. in Riby in Lincolnesir' Et de ij. m. de Hug' Malet de j. feod. in Grigestorp ibidem Et de j. m. de Advocato Betun' de dim. feod. in Boby ibidem Et de dim. m. de heredibus Ric'i fil' Rogeri de iiij[a] parte j. f. in Kelg[i]meserghe et Birstad' brinning' infra Lunam Et de j. m. de Adam de Molineus de dim. f. in Sefton' ibidem. In th. lib.[1] Et Quietus est.

[*Pipe Roll* (69), 9 *Hen.* III.

These extracts suffice to show how tardy was the process of getting the receipts from scutage paid into the Treasury; and they serve also to indicate the kind of information to be derived from these rolls under this head. The HONOUR of Lancaster contained, as stated above (pp. 122, 123) in the Pipe-rolls of 17 *John* and 2 *Hen.* III., seventy-eight knights' fees and a half, a fourth part, and a fourteenth part of one fee. In the COUNTY of Lancaster the number of knights' fees was twenty-nine and a half, *plus* some odd parts; as appears by the estreats of knights' fees in 31 *Edw.* I. for marrying the king's eldest daughter (130/3), and again in 30 *Edw.* III. for knighting the king's eldest son (130/16). The money equivalent, reckoned at forty shillings upon every knight's fee, was very nearly the same, namely; £59 10*s.* 6*d.* in the former case, and £59 10*s.* 4*d.* in the latter.

AID

Under the feudal system three principal aids were due, as of right, to the king from all persons who held of him *in capite*, namely :—

1. To ransom his person, when taken prisoner in war;
2. To make his eldest son a knight;
3. To marry his eldest daughter.

These are enumerated and particularly excepted in Art. 12 (p. 3) of *John*'s Great Charter, by which it was provided :—

"No scutage or aid shall be laid in our kingdom, except by the general council of our realm, save to ransom our person, to make our eldest son a knight, and to marry our eldest daughter once; and for this there shall not be made other than a reasonable aid."

[1] In the following item mention is made of fees held in the counties of Lincoln, Nottingham, York, Leicester, Norfolk, Suffolk, and Essex.

Three such aids were taken by *Henry* during his reign, viz.:— *A.D.*

1. Aid (2 marks) for marrying the king's sister *Isabel* to the emperor (p. 61, note 1); 1235.

2. Aid (20*s.*) for marrying the king's eldest daughter to *Alexander*, king of Scotland (pp. 76, 80 n.); 1245.

3. Aid (40*s.*) for knighting the king's eldest son (p. 87). 1253.

In like manner other lords were entitled to have aid from their own free tenants for the same three purposes. *John Smyth* of Nibley has recorded[1] two aids which were had of their tenants by the barons of *Berkeley*. In the battle of Bannockburn (24 June 1314) *Thomas* lord *Berkeley* with *Thomas* his son was taken prisoner, and the tenants of the barony were called upon to pay towards the ransom demanded. Thus—but *Smyth* shall tell the story in his own inimitable way (i. 183):—

"This lord Thomas thus a prisoner, (whom Hollingshead by an other mistake calleth Maurice,) procureth the redemption of his sonne Thomas And dispatcheth him into Gloucestershire and other places for raysing of money for his owne redemption which hee soe effectually labored, (this Lords Tenants by theire benevolence aydinge therevnto,) That in the yeare followinge hee came to Berwike, where hee found the Lord Maurice his eldest sonne newly placed governor; And after to Berkeley Castle; towards whose redemption, his Copyholders in Portbury gave a benevolence of xxiiij^{li}. xij^{s}. iiij^{d}."

"Neither did hee afterwards neglect the redemption of such of his meniall knights and Esquires as were taken prisoners with him, all whose freedomes hee procured within three yeares after."

In 1612, an Aid was also had which is thus described by *Smyth* (ii. 332):—

"And thus ended that trita et vexato questio, that old intricate and perplexed title, as it was usually in all Courts called, that had continued the space of 192 . years from the 5th. of king Henry the fifth to the seaventh of king James, between the heires generall and the heirs males of this noble family; wherein . . .

"Not longe after, this lord, (partly the better to pay the said composition money to the lord Lisle, and partly to pursue the presidents of his Ancestors, then shewed to him,) had a benevolence from all his tenants, whether holding by Copy of Court roll, or by Indenture: And also Aid pur faire fitz chivaler, according to the Statutes of . 3 . E . 1 and . 25 . E. 3. from all his freeholders, whether holding by knights service or in socage, whereby the sum of—700^{li}. and upwards was raised, And for any thing I perceived, (being a Commissioner in both the services,) willingly paid."

The word aid (*auxilium*) became so comprehensive as to include any payment whatsoever made in support of the king's estate, at home

[1] *Lives of the Berkeleys.* Edited by Sir *John Maclean*, F.S.A. etc. for the Bristol and Gloucestershire Archæological Society, 1883, 2 vols. 4to.

or abroad. Very commonly it was an alternative name for scutage, as, for example, in these instances :—"*nobis liberaliter concesserunt* auxilium *tale scilicet de singulis feodis militum quadraginta solidos*" (*Pat. R.* 15 *Hen.* III. *m.* 3) ; and, "*concesserunt nobis efficat* auxilium . . *quod habeamus de singulis feodis militum* . . *duas marcas ad* auxilium *predictum nobis faciendum* (*Close R.* 19 *Hen.* III. *m.* 6 dorso). Hence, instead of what was before suggested under "Tallage" (p. 107), it may be that the second aid (*secundi auxilii*) there mentioned was really a *scutage* ; for these levies in *Richard*'s reign are entered in the Pipe-rolls by numbers ; as, First, Second, Third and Fourth Scutages.[1]

The terms, found in various records relating to taxation, were not so loosely used as at first sight might appear ; for each word had its particular application. The king affected to regard the grant as spontaneous, and frequently called it a gift (*donum*) ; it was made as an assistance (*auxilium*) to the revenue of the Crown ; it was a tax (*tallagium*)[2] on the commonalty who had no choice but to pay the quota thrust upon them by consent of their overlords ; and, beside and beyond any or all of these, it had its own generic title.

Carucage

Carucage, or Caruage, was a tribute imposed on every plough for the public service. Such is the stereotyped definition printed for more than 170 years in Law Dictionaries ;[3] and it is usually supported by a quotation (but omitting the words printed below in *italics*) from the history by *Matthew Paris* who, in writing of the carucage assessed in the year 1224, uses these words :—"Regi *vero pro magnis laboribus*[4] *suis expensis tam a prelatis quam a laicis* concessum est per totam Angliam carucagium de qualibet caruca duo solidi argenti." [*Chronica Majora* (ed. Luard), iii. 88.]

Of the earlier carucage of 1220 *Paris* says nothing ; or rather, it would be more correct to say that he adds[5] nothing to *Wendover*'s

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[1] See *Pipe Rolls;* 2 *Ric.* I. for the First Scutage (10*s.* the fee) ; 6 *Ric.* I. for the Second Scutage (20*s.*); and 8 *Ric.* I. for the Third (20*s.*) and Fourth (20*s.*) Scutages. [*Red Book of the Exchequer*, f. 48.]

[2] Observe the term *tallagium* applied to carucage in the annals of two monasteries cited below (p. 129).

[3] See *A Law-Dictionary and Glossary*, &c. by *Tho. Blount* of the Inner Temple, Esq. The Third Edition. In the Savoy [London], 1717, folio.

[4] In the siege of Bedford castle which was taken in August 1224.

[5] See note 4, page 18, on the joint work of these two writers. Dr. *Stubbs* (now bishop of *Oxford*) says (Preface, lxxxii. to *Walter of Coventry*) :—"I am perfectly satisfied of both the good faith and the credibility of Matthew Paris's history. He is not the interpolator, as he has been sometimes called, of Roger of Wendover, but his interpreter."

history, from which latter the fact that such a tax was ever laid could not be even surmised. Certain monastic annals, however, supply the omission with the following details :—

MCCxx.

"Henricus rex *etc.* Item factum est tallagium per totam Angliam scilicet de caruca duos solidos." [*Ann. Mon.* (Winton.) ii. 83.]

"Accepit [Henricus III.] etiam tallagium per Angliam de singulis carucis ii. sol." [*Ann. Mon.* (Waverl.) ii. 293.]

"Eodem anno mense Septembri positum est Caruagium per totum regnum ad opus domini regis a quo archiepiscopi et episcopi et omnes clerici et omnes viri religiosi et eorum rustici quieti fuerunt. Verumptamen episcopi per suas dioceses collegerunt auxilium ad opus domini regis ab abbatibus et prioribus per liberam voluntatem eorum et tunc domus de Dunstapl' solvit tres marcas." [*Ann. Mon.* (Dunstapl.) iii. 60.]

There can be (I think) no doubt that these two[1] carucages—of which two only are returns found in this reign—were laid upon the *plough.* At least, none of the *Annals* just quoted—the rest are altogether silent—makes mention of land. They all employ the word *caruca*, or plough ; and the public records, without a single exception, do the same. What, then, was the *caruca*? Mr. *Seebohm* says :[2]—"the construction of the word involves not 4 yoke of oxen, but 4 oxen yoked abreast, as are the horses in the *caruca* so often seen upon Roman coins. And the *Statistical Account* [of Scotland] informs us that in some districts of Scotland in former times 'the ploughs were drawn by 4 oxen or horses yoked 'abreast : one trod constantly upon the tilled surface, another went in 'the furrow, and two upon the stubble or white land. The driver[3] 'walked backwards holding his cattle by halters, and taking care that 'each beast had its equal share in the draught. This, though it looked 'awkward, was contended to be the only mode of yoking by which '4 animals could best be compelled to exert all their strength.' "

Hence the word *caruca* is very generally admitted to mean a plough-team when used in *Domesday*, and a team of most commonly eight oxen. The number would be increased when the beasts tilled heavier lands, and sometimes with horses yoked in aid of the oxen.

While frankly owning to a very slender knowledge of Domesday—your Reviewer only is omniscient—I may yet venture so far as to say, that

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[1] A tax was assessed in the first year (1217), and called by varying names, as : "caruage or hidage," "hidage and caruage," "hidage," "hidage, caruage and aid," "carucage and hidage." Some reference to this is made on a later page (144).

[2] *The English Village Community* (third edition), p. 63. London, 1884, 8vo.

[3] As illustrating this method, see (p. 143) the record of a misadventure, by which the front man, or "driver," was killed, being borne down by the animals and crushed to death.

the (so-called) explanations of the areal measures which are used in the Great Survey of the year 1086 are discordant and unsatisfactory. A "carucate" is said to be as much land as may be tilled with one plough in a year, varying in acreage according to the nature of the soil, and according to the strength and number of the ox-team. Yet *carucata terræ* may, it is also said, contain houses, mills, pasture, meadow, wood, &c.[1] So lord *Coke*,[2] who writes :—"And one plowland, *carucata terræ*, or a hide of land, *hida terræ*, (which is all one) is not of any certain content, but as much as a plow can by course of husbandry plough in a yeare. And therewith agreeth *Lambard verbo Hide.* And a plowland may contain a messuage, wood, meadow, and pasture, because by them the plowmen and the cattell belonging to the plow are maintained. . . And *Prisot* well saith in 35 H. 6. fol. 29, that a plow may till more land in a yeare in one country than in another ; and therefore it stands with reason, that a plowland should be lesse in one place than in another." [Section 95] And further—"For as *carucata terræ*, a ploughland, may containe houses, milles, pasture, medow, wood, &c., as pertaining to the plough ; so under the service of the plough, all services of tillage or husbandry are included." [Section 119]

That the carucate had a definite meaning as to area, and was capable, locally, at all events—however much it might vary in different counties—of exact measurement, is manifest. An instructive case lies close at hand. King *John* had given to *Margaret*, or *Margery*, wife of *Walter de Lascy*, three carucates of land in the forest of Acornbury, near Hereford ; and, after his father's death, *Henry*, desiring to confirm to her the same three carucates, neither more nor less, ordered the land in question to be carefully measured. Precise instructions were given that any deficiency was to be made up, and any excess beyond the three carucates to be retained in the king's hand. Each carucate was to contain six-score acres, by the perch of twenty-four feet[3] (*carrucatam scilicet de vj^xx acris terre per perticam nostram xxiiij^or pedum ad pedem palme*). This direction was accordingly carried out sometime between the 24th of July and the 25th of August in the year 1218, in presence of *John Mareschal*, accompanied by the sheriffs of *Herefordshire* and *Gloucestershire* with knights of each county, and aided by foresters, verderers and others. At the latter date (25 Aug.) *John Mareschal* was ordered to allow the nuns of Cornbury[4] (here *Cornebir'*) to have in peace

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[1] NOMO-ΛΕΞΙΚΟΝ: A Law-Dictionary . . . by Thomas Blount of the Inner Temple, Esq. In the Savoy (London), 1670, folio.

[2] COKE (Sir Edward)—*First Part of the Institutes*, &c., or a *Commentary upon Littleton*, 18 edit. 1823, vol. i.

[3] *Close Roll*, 2 *Hen.* III. *m.* 8 ; *Rot. Litt. Claus.* i. 366 b.

[4] See Tanner's *Notitia Monastica* (ed. 1787)—"HEREFORDSHIRE II." Acornbury, or Cornbury.

that land, which king *John* granted to the before mentioned *Margaret* (or *Margery*) *de Lascy*, for constructing there a religious house within such limits and bounds as had been lately measured.[1]

Mr. Eyton says[2] (p. 22)—"In Lincolnshire and other northern districts, the carucate was strictly analogous to the hide of the south; nay, in the Lincolnshire Domesday the carucate is used as the principal Gheld-measure, and the hide is never mentioned." Again[2] (p. 13):—"and Domesday itself indicates that the word carucate implied much the same thing as the hide, only that, not having been converted into a hide or made geldable it remained in name a carucate." His "own impression[2] (p. 17) is that the term, 'carucata,' was introduced by the Normans, and that they intended thereby an estate which, in point of value and capacity, was closely analogous to the Saxon hide."

Endeavouring to fit this description to that part of LANCASHIRE detailed in the Survey as lying between Ribble and Mersey,[3] instant difficulty arises. Carucates here seem to be constituent parts of a greater measure, the hide. Indeed, we are distinctly told, under "DERBEI HVNDRET," that in every hide there are six carucates of land —*In unaquaque hida sunt vi. carucatæ terræ.* Again, the record goes on (three lines lower) as to NEWETON Hundred—"In king *Edward*'s time there were five hides in Neweton. Of these one was in demesne, the church of the same manor had one carucate of land, and Saint *Oswold* of the same town had two carucates of land quit of everything. The remaining land of this manor was held by 15 men, called 'drenchs,' for as many manors which were berewicks of the chief manor; and between them all they paid in rent thirty shillings." Next, in WALINTVNE Hundred—"King *Edward* held Walintune with three berewicks. One hide there. To the same manor appertained thirty-four drenges, and they had as many manors; in which were 42 carucates of land, and one hide and a half. Saint *Elfin* held one carucate of land quit of all custom save geld. The whole manor with hundred yielded to the king of farm fifteen pounds less two shillings. There are now two carucates in demesne, and eight men with one plough."[4] Moreover, there is one item at least (270, col. 1), in which the term 'carucate' is not restricted to arable land (as we are universally taught by the learned exponents of Domesday), but applied to *waste*. Thus in SALFORD Hundred—"King *Edward* held Salford. Three hides there and 12 carucates of waste land; and forest, three leagues long and as many wide," &c. The meaning may be, that the breadth formerly tilled had been devastated;

[1] *Rot. Litt. Claus.* i. 355 a, 366 b, 368 b.

[2] *A Key to Domesday . . . exemplified by an Analysis and Digest of the Dorset Survey.* By the Rev. *R. W. Eyton*, M.A., London, 1878, 4to.

[3] "Inter Ripam et Mersham." DOMESDAY (folio), leaf 269 b. col. 2.

[4] Not one 'carucate'; as by the translation given in Baines's *History of Lancashire* (ed. Harland), i. 25.

in which case one would look for the description,[1] "terra vastata," or "terra inculta"; whereas the sentence runs :—"Rex E. tenuit SALFORD, Ibi. iii. hidæ et. xii. caruc[atæ] *terræ wastæ*. et foresta" *etc.*

But enough. From Domesday and its unexplained, i. not unexplainable, difficulties touching the content of the carucate as a taxable area, it is a comfort to pass to the consideration of Carucage, as levied during the reign of *Henry* the third—with which only, after all, I have any direct concern—and as described in precise and positive terms by the king himself, when he announced to the sheriffs the gift (*donum*) graciously made to him by consent of a general council towards the relief of his immediate necessities.

For his great need and the urgency of his debts, and also for preservation of Poitou, a general council granted to the king the levy of two shillings on every plough, as it had been yoked on the morrow of Midsummer-day (25 June) 1220. Thereupon he issued his writ, directed to all the sheriffs in England, and bearing date at Oxford the ninth day of August in that year. The money was to be collected by the sheriff of any county, accompanied by two knights who were to be chosen in full county-court, and then to see to its immediate assessment and collection ; so that the amount forthcoming might be in London on the morrow of Michaelmas-day following (30 Sept. 1220), ready for deposit in the New Temple, until provision should be made for its further disposal. Now, if there is any virtue in words, nothing can be clearer than those here used. No verbal quibbling can twist *caruca* into anything but "plough;" and, when it is immediately followed by the words, *sicut juncta fuit*—"as it was yoked"—the combination distinctly denotes the agricultural instrument complete, with its normal team of oxen, and proper complement of men. Suppose the attempt were made to apply the expression to *land*, how can land be said to be "joined" on the morrow of Midsummer-day? But the term "yoked" is a natural and proper description, when employed in relation to a plough. There is ample evidence afforded concerning this particular tax by contemporary documents, all supporting, one the other, all united in telling one plain, intelligible story from first to last.

I begin with the text of the king's writ, the purport of which has been already given in abstract. Then follow transcripts of returns that were actually made at the time to the Exchequer, and yet remain on record there, accompanied by extracts, showing the final audit and discharge of the accounts rendered by the assessors and collectors of carucage in certain counties.

Rex vicecomiti Norhamt' salutem Scias quod pro magna necessitate nostra et urgentissima debitorum nostrorum instancia necnon et pro

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[1] Compare, for example, the following :—"et tres carucate terre que jacent frisce si essent culte ix. [*i.e.* nona] val. xxx. s." [*Exch. Lay Subsidies* (Yorkshire, N. R.), 211/14.]

conservacione terre nostre Pictavie concesserunt nobis sui gracia communiter omnes magnates et fideles tocius regni nostri donum nobis faciendum scilicet de qualibet caruca sicut juncta fuit in crastino Beati Johannis Baptiste proximo preterito anno regni nostri quarto *duos solidos per manum tuam et duorum de legalioribus militibus comitatus tui colligendos qui de voluntate et consilio omnium de comitatu in pleno comitatu eligentur ad hoc faciendum Et ideo tibi precipimus firmiter et districte injungentes quatinus convocato comitatu tuo pleno de voluntate et consilio eorum de comitatu eligi facias duos de legalioribus militibus tocius comitatus qui melius sciant velint et possint huic negocio ad commodum nostrum intendere et illis tecum assumptis statim donum illud per totam bailliam tuam facias assideri et colligi de singulis carucis sicut predictum est exceptis dominicis archiepiscoporum episcoporum et rusticorum suorum et exceptis dominicis ordinis Cisterc' et de Premustr' Et videas quod distincte et aperte scias nobis respondere in crastino Sancti Michaelis proximo instantis apud Lond' quot fuerint in baillia tua caruce de quibus donum illud habere debeamus et denarios inde provenientes per manus predictorum duorum militum et tuam salvo colligi facias et illos facias venire usque Lond' predicto die sub sigillo tuo et sigillis predictorum duorum militum et in domo Novi Templi salvo reponi donec provisum fuerit quid inde fieri debeat Et tu sicut te ipsum et omnia tua diligis sic inde te intromittas ne occasione malefacte inquisicionis et collectionis per te et predictos milites facte oporteat nos postea districtam facere inquisicionem per fideles a curia nostra missos ad gravem confusionem tuam et illorum qui tecum interfuerint predicte inquisicioni et collectioni faciende.* 9 Aug. 1220. *Teste ut supra* [i.e. *H. etc. apud Oxon. ix. die Augusti*].

Eodem modo scribitur omnibus vicecomitibus Anglie.

[*Close Roll*,[1] 4 *Hen.* III. *m.* 5 dorso.]

The exceptions named in the foregoing were by a subsequent writ (7 Sept. 1220) made to include the demesnes and villains of abbots, priors, and other religious men of what order soever, in the terms hereafter following[1]:—

Rex vicecomiti Sussex' salutem Dedimus tibi in mandatis per litteras nostras quod assumptis tecum duobus de legalioribus et discrecioribus militibus comitatus tui electis de voluntate et assensu omnium de comitatu tuo et in pleno comitatu assideri faceres et colligi caruagium de singulis carucis sicut juncte fuerunt in crastino Sancti Johannis Baptiste proximo preterito anno etc. iiij^to^ scilicet de qualibet caruca ij. solidos *exceptis dominicis archiepiscoporum episcoporum et rusticorum suorum et exceptis*

[1] In spite of the exceptions here made, it is certain that money was received from religious persons. See *Testa de Nevill*, 132, and *Exch. Lay Subs.* (Berks) 73/2. But we are especially told in the *Annals of Dunstaple* (p. 129) that such payment was a voluntary aid (*per liberam voluntatem suam*).

dominicis ordinis Cisterciens' et de Premustr' et quoniam nulla facta fuit exceptio in litteris illis de dominicis et rusticis abbatum priorum et aliorum virorum religiosorum necnon et clericorum nisi tantum de dominicis archiepiscoporum episcoporum et rusticorum suorum et dominicis ordinis Cisterciens' et Premustr' de consilio fidelium nostrorum tibi precipimus quod de nullis dominicis predictorum archiepiscoporum episcoporum ordinis Cisterciens' et Premustr' sive abbatum priorum vel aliorum virorum religiosorum cujuscumque sint ordinis necnon et clericorum et
7 Sept. 1220. *rusticorum omnium predictorum nullum assideas caruagium vel colligi facias per manus tuas vel militum predictorum nec ullam districtionem inde eis facias. Teste H. etc. apud Exon. vij. die Septembris.*

[*Close Roll*,[1] 4 *Hen.* III. *m.* 5 dorso.]

The accounts of the several sums of money received from this carucage are found for many English counties, but Lancashire is unfortunately not among them. The precise amount—£16 6*s.*—collected from the bailiwick of Windsor, and delivered to the Receivers at the New Temple by *William Brun* (or *Brown*), clerk of *Engelard de Cygoigny*, is entered in the following words :—

> Frater Will'mus de Haliwelle Will's filius Benedicti civis Lond' Alexander de Sebrichteworthe clericus receptores carrucagij assisi per Angliam anno iiij. Regis scilicet de qualibet carruca ij. s. quod carrucagium receptum fuit per prescriptos apud Novum Templum Lond' reddunt compotum de xvj. li. et vj. s. receptis de Ballia de Windlesor' per manum Will'mi Bruni clerici Engelard' de Cyconiaco Et *etc.*[2]

[*Exch. L. T. R. Foreign Accounts*, Roll n° 1, *m.* 1 dorso.]

The particulars of the carucage assessed and collected in the bailiwick of Windsor are thus returned :—

> Rotulus de Caruagio assiso et collecto in balivia de Windesor' per assisores electos secundum formam mandati domini Regis videlicet Ric' de Syffrewast et Hug' de Sotebroc.

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[1] Printed in *Rot. Litt. Claus.* i. 437 a, b.

[2] This Account is continued on p. 140.

Windesor'	D'n's Engel' de Cigoin'	ij. Cåruc'
	Alixander de Tynle...	j. Car'
	Alixander parcarius	j. Car'
	Gilib' de Grangia	dim. Car'
	Will's Poncon	dim. Car'
	Simon Colemen cum p[arc]enar' ...	dim. Car'
	Will's de Ponte cum parcenar' ...	dim. Car'
	Simon Keyne cum parcenar' ...	j. Car'
	D'n's Math' de Cigoin'	j. Car'
	Rob' de Sages	j. Car'
	Wygot de Sages	j. Car'
	Hug' de Hech' [*Hethe*]	j. Car'
	Ric' Godman	dim. Car'
	Hugo Brun cum parcen'	dim. Car'
	Rob' carpentarius	j. Car'
	Walt' de Wpenorr'	j. Car'
	Henricus de Mora	dim. Car'
	Joh' draparius	j. Car'
	Rob' de Mora cum p'tinēciar' ...	j. Car'
	Osb' filius Hugon'	dim. Car'
	Hug' filius Andr' fabri	dim. Car'
	Gilib' de la Brocch'	j. Car'

S^{a} xviij. Car' dimid. xxxvij. s.

The Account summarized (including that above for Windsor) stands in order in the roll thus :—

Places	*Names*	*Ploughs*	£ s. d.
Windsor	22	18½	1 17 —
Bray	29	31	3 2 —
Chocham	48	42	4 4 —
Remeham	13	14½	1 9 —
Finchemstede ...	5	5	— 10 —
Swalofelde	9	9	— 18 —
Berkeham	3	3	— 6 —
Herleg'	11	11	1 2 —
Dydewrze	3	3	— 6 —
Ellyntun'	7	7	— 14 —
Clywar'	7	6½	— 13 —
Chedehengr'	1	1	— 2 —
Sotebroch'	6	6½	— 13 —
Horipord'	2	3	— 6 —
Jordanus forestarius...	1	2	— 4 —
	Ploughs	163	£16 6 —

This total agrees with the sum in the roll, which is set down as follows :—

Summa omnium Carucarum—Clxiij.
¶ xvj. *li.* vj. *s.*

[*Exch. Lay Subsidies* (Berks) 73/2]

31 July 1237. Several years after, the king issued his writ (with the *teste* of *William de Beauchamp*), bearing date at Westminster the 31st day of July in the 21st year of his reign (1237), and addressed to the sheriff of the counties of *Buckingham* and *Bedford*, ordering him to cause to come before him, at certain days and places, four men and the reeve of every town in either county, in which carucage of two shillings had been granted in the fourth year of the reign (*in qua carrucagium nostrum nobis fuit concessum scilicet de qualibet carruca ij. s. anno regni nostri iiij^to*), and by the oath of them and others (if necessary) to inquire ; how much of the aforesaid carucage was assessed in every town, and for how many ploughs (*quantum de predicto carrucagio fuit assisum in qualibet villa et pro quot carrucis*); who were the assessors, and to whom the said carucage was paid (if it was paid), and by whose hands ; and if those paying had tallies against those to whom they paid the said carucage. The inquisition thereof taken with the writ now sent was to be had before the barons of Exchequer at Westminster in 15 days from Michaelmas-day (13 October 1237).[1]

The returns were accordingly drawn up for both counties in the method prescribed, namely ; stating the number of ploughs in the several townships, the money paid, and the persons by whom it was received. The general heading of the roll is :—

Inquisiciones[1] de Caruagio assiso in com. Buk. et Bedef. Anno R. R. H. iiij^o. s[cilicet]. de qualibet Caruca ij. sol.

Observe that there is no allusion whatever to *land*, but—like the writ directing these inquiries to be made—to the plough only. And more than this, one item expressly states that in Bradenham there was *no plough* at that time (that is, in 4 *Hen.* III.) :—"De B^adeham nulla caruca erat ibi tunc temporis." This is a very significant entry, and one not to be explained away. We are certain that the land was there. Unless we obstinately shut our eyes to the natural interpretation of words, and put upon them such meaning as best suits our own preconceived opinions, there is no gainsaying the evidence here brought forward, even if it stood apart from all other proof. There were arrears also returned for Berkshire,[2] in a roll which consists of two membranes ; one, giving the arrears from lands and fees of religious men, and the other

[1] *Exchequer. Lay Subsidies* (Divers Counties) 239/241. Another writ here, dated 20 May 21st year (1237), relates to the Fortieth assessed in the same two counties.

[2] *Exchequer. Lay Subsidies* (Berks) 73/1. (In a good state.)

those from the fees of laymen. By its mention (under the latter head) of *William* de *Wancy*, as one of the collectors, the roll evidently relates to the carucage of the fourth year (*Testa de Nevill*, 131b). The name occurs in two places, thus:—

Lewarton'

D' Will'o de Wancy assessore et collectore carucagii pro j. car'. ij. s.

* * * * *

Cumpton'

D' Hug' de Bathon' pro j. car'. ij. sol.

D' Will'o de Wancy assessore et collectore carucagii pro ij. car'. iiij. s.

As may be seen by these examples, the entries are of the same kind throughout. After the names—"pro v. car'. x. sol."; "pro ij. car' et dim. et parte v. s. iiij. d." "pro j. car'. ij. s."; "pro xxv. car'. L. sol."; and so forth.

A roll for Hertfordshire[1] somewhat varies the form. It is headed—"Rotulus de Caruagio assiso anno regni Regis H. iiij°" The entries are arranged thus:—

¶ Stokke Comit' W. de Maundevil'...xvij. Car. Solverunt xxxiiij^{or} sol.

¶ Billeg' ... ... xxv. Car' Solverunt L. sol.

¶ Minnyel... ... ... xxvij. Car' Solverunt Liiij^{or}. sol.

¶ Puteham' ... ... vj. Car' Solverunt xij. sol.

¶ Gatesdan' ... ... xiiij. Car' et dimid. Solverunt xxv. sol. Debent iiij^{or}. sol.

So many ploughs paid so many shillings. By the endorsement the collectors' names are shown:—"Karucagium in Comit' de Hartforde per Simonem de Furneaus et Galfridum de Rocheford.'" The account was rendered by *Simon*[2] de Fornell' and *John* de *Rocheforde* for his father who was (presumably) dead.

In the case of the next carucage, assessed in 1224, of which there remains[3] the roll relating to the county of Huntingdon, the same may be said. There is again no reference to land; and, although the contraction "car." is used, its proper extension is never for one moment in doubt. Although bearing no precise date, this roll undoubtedly belongs *A.D.* 1224.

[1] *Exchequer. Lay Subsidies* (County of Hertford) 120/1.

[2] *Exchequer (L. T. R.) Foreign Accounts*, Roll n° 1, m. 2.

[3] *Exchequer. Lay Subsidies* (Huntingdon) 122/1. (One membrane, perfect.)

to 8 *Hen.* III. (1224) from reference in the heading to the time[1] of *Fauke*[2] *de Breauté:*—"Carucag 'Comitatus Huntedon' assis' tempore Falk' de Breaut'." This return shows the number of ploughs in the four hundreds of (as here written) Hirstangestone, Touleslund, Northmannecros and Leythonestan.[3] The first few items will serve to indicate the character of the whole.

Hundr' de Hirstangeston'

¶ D' Stiuecle Comitis David . xi. Caruc' et dim.

Hundr' de Touleslund

¶ D' Hemingeford' Trublevill' . xvi. Car'
D' Gillinges . ix. Car'
D' Weresle . xx. Car'
D' Everton' et Tetteworthe . ix. Car'
D' Stanton' et Hilton' . xl. Car'
D' Adbodesle . vij. Car' dim.
D' Eynesbir' . xiiij. Car'
D' Touleslund . xj. Car'

* * * * *

The total is set down as :—

Summa omnium Car' in Com' Huntedon'. CCCC. xxiij. Car'. dim.
Summa in denar[iis]. xlij. li. vij. s.
Ex hac summa solut' sunt. xlij. li. et aretro sunt vij. s.

Another undated roll (of three membranes) gives the carucage received from the Honour of Wallingford in various counties,[4] and from the county of Oxford. There is nothing here inconsistent with the returns previously cited. On the contrary, from this record alone the inference is irresistible that the tax was laid upon the plough (plough-team).

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[1] See Rymer's *Foedera*, i. 175, under dates, 18th and 25th of Aug. 1224.

[2] From this man's name is derived "Vauxhall." The manor there was called *Faukes-hall* from its tenant, so that the preferable spelling seems to be "Fauke," while the form in *Latin* is variously found, *Falco*, *Falkasius*, *Falcasius*, *Falkesius*. See *Inq. p. m.* (20 *Edw.* I. n° 139) of *Margaret* de Ripariis; taken at South Lambeth (Suth-lamhethe) 23 June 1292. . . . "*Capitale Mesuagium cum gardino apud* Faukeshalle *valet per annum ij. s. Item sunt ibidem iiij*^{xx}. *acre terre* etc. *Manning* and *Bray* throw doubt upon this derivation of "Vauxhall." (*Hist. of Surrey*, iii. 482.)

[3] The modern spelling exhibits little variation, viz. Hurstingstone, Toseland, Norman-Cross and Leightonstone.

[4] Thus written in order :—Oxford, Bucks, Northampton, Berks, Wilts, Middlesex, Surrey. [*Exchequer. Lay Subs.* (Oxford) 161/1.]

Recepta Henrici de Scaccario de carucag' honoris Walingef' scilicet de qualibet caruca. ij. sol.

¶ Com' Oxon' Honor'

villa de Baldindon' ... xxij. sol. pro xi. car'
villa de Eston' ... ... vj. li. vi. sol. iiij. d. pro lxiij. car' et parte
Kingeston' et Linlegh' ... xxij. sol. pro xj. car'

* * * * *

The second membrane details the arrears of carucage (in seven ...es) in the Honour of Wallingford; and the third, relating to the ...nty of Oxford, is headed—"Hic est Rotulus de caruag' posito ad. ij. ... per Com' Oxon' per Rad' fil' Rob' et Gilleb' de Finemere."[1]

Hundr' de Chiltre

D' Stok'. vi. car' ... ... xij. sol.
D' Crawell'. xiij. car' ... ... xxvj. sol.
D' Syreburn'. xv. car' ... ... xxx. sol.

* * * * *

S[a] Hundr' de Chiltre. xxxvi. lib. et viij. sol.
S[a] carrucar'. CCClxiiij. Carr'.

Omitting the other hundreds, in which the items are entered in a ...lar manner, I pass on to the total;—

Summarum in carrucis preter honorem de Warengeford'. M. et dc. et. xlij. carr'.

The total receipt for the Honour of Wallingford (*Warengeforde*) is ... 6*s.* 4½*d.*; as seen at the foot of the Account—"Summa tocius— ... x. li. vj. s. iiij. d. ob. pro dcccc. car' et iij. car' et sexta parte car'."

Since the foregoing was written, I have identified these carucages ...having been assessed in the fourth year (1220). They are duly ...red[2] in the accounts which begin with Gloucestershire:—

GLOECESTRESIR'.[3] De carrucag' assiso ad ij. sol. per Ric. de Muscegros et Hug' Mustel anno iiij[to] R. H. tercii.

* * * * *

The names of the two assessors (here indistinct) are inserted from the ...eign Account, Roll n° 1, so often before mentioned. See below (p. 140).

[2] *Exchequer, L. T. R. Foreign Accounts*, Roll n° 1, *m.* 2.

[3] The amount received—£140 3*s.*—(in two payments of £130, and ... 3*s.*)—agrees with that given in "Testa de Nevill," p. 81 a; so ... the return can be positively dated as belonging to the fourth year ...is king's reign (1220). Observe again that in no instance is allusion ...le to land. All through you have *carucis*, *carucarum*, &c.

Then Middlesex, Surrey, Hereford in Wales ; after which comes :—

BERKESIR' de eodem Carrucag' assiso per Will'm Stanford' et Will'm de Wanci.

Henr' de Scaccario vic. r. comp. de C. et xxxvj. li. et vij. s. eodem de hominibus et villis quorum nominibus p ponitur littera T. in Rotulo quem predicti liberaverunt thesauro. In th. lib. apud Novum Templum Lond.' Et Quietus e

Id. H. r. comp. de quater xx. et x. li. vj. s. iij. d. et ob. Carrucag' Honoris de Warengeforde assiso in diver comitatibus. In th. apud Novum Templum Lond' lib.

* * * * Et Quietus e

OXENEFORDSCIR'

Rad' fil. Rob' et Gilleb' de Finemere assisores carrucagii hoc comitatu reddunt compotum de C. et lxiiij. li. et i s. de M. et dc. et xlij. carrucis videlicet de carruca ij. preter honorem de Warengeford' qui nondum est Rotulo. In th. apud Novum Templum C. et lxiij. li. deb· xxiiij. s. Iidem r. comp. de eodem debito. th. lib. Et Quieti sur

Referring again to the inrolled Account, from which an extra relating to the receipt for the bailiwick of Windsor has been ma (p. 134), after "Cyconiaco," as there printed, the record runs on :—" de C. et xxxvj. li. et vij. s. receptis de carrucag' Comitatus Berkesir' p Henr' de Scaccario vic. Et de quater xx. et x. li. et vj. s. et iiij. d. carrucag' honoris de Warengeford' receptis de eodem Henr'. Et de et xxxiij. li. et vj. s. et viij. d. de carrucag' Comitatus de Canteb receptis de Rad' de Bray per manum Will'i de Walda clerici. Et" *et*

The printed volume (1807, folio), entitled "TESTA DE NEVILL," co tains in detail (pp. 131–133) the carucage assessed in Berkshire[2] in th

[1] Here follow receipts for the several counties of Northampto Worcester, Wilts, Dorset and Somerset, Gloucester [£130 and £10 3s. Essex and Hertford, Surrey, Bedford, Leicester, Warwick, Rutlan Oxford, Buckingham, Hereford in Wales, Devon, Southampton, Lincol Nottingham, Derby, Norfolk and Suffolk, York. [*Exchequer, L. T. F Foreign Accounts*, Roll n° 1, *m.* 1 dorso.]

[2] The heading has "quinto," instead of *quarto;* an inaccurac similar to that before pointed out (p. 18) as having been made in the *Re Book of the Exchequer* with regard to the regnal year in which a form tax was assessed.

rth year of *Henry* III. (1220). There are here three entries which m to be opposed to what has been said about the tax being laid upon plough, inasmuch as they mention "carucis terre." They are se :—

1. "De Eton' Will'i de Hastinges pro x. carucis terre xx. s." p. 574.
2. "De Elfinton' Ad' et Galfr' pro tribus carucis terre vj. s." p. 575.
3. "De Sandon' pro x. carucis terre xx. sol." p. 576.

Out of 171[1] items, but three insert the word "terre." The rest have aruca" or "carucis" only, and thus present exactly the form of the ual returns, now remaining on record and before described. Obviously, ocument must be understood by its general character rather than by ee scattered instances which are manifest exceptions to the whole. hat is the original of this printed volume? Two ancient books in nuscript, formerly preserved in the office of the *King's*[2] *Remembrancer* the Exchequer. For readiness of consultation various single docu-nts, or rolls, of differing dates were transcribed—probably, towards e end of the reign of *Edw.* II.—and brought together under counties.[3] the best, then, each section is a copy of a copy—a fact to which ecial attention is called at the very commencement. A memorandum the first leaf states that this book[4] was composed and compiled from quisitions taken in the time of *Edward* the First, and so its contents e had in the Exchequer for evidences, and not for record. The precise aning of this distinction is not clear; but the note points to the fact, at these transcripts have some value below that of a record. Without ing any stress upon "quinto" written for "quarto" (as already served, p. 140), other inaccuracies are readily detected,[5] such as; (576) ro xxj caruc*a* [instead of *carucis*]; (577) "pro ij carucis iiij. *den.*

[1] Including the receipt from lands and fees of religious houses and clesiastical persons; such payments being made of their own free will, before noted (page 133, note 1).

[2] The reference (during the present reign) is *Exchequer Q. R. Miscellaneous Books*, numbers 5 and 6.

[3] The manuscript volume, n° 6, contains sundry collections which late to LANCASHIRE.

[4] "Memorandum quod iste liber compositus fuit et compilatus de versis inquisicionibus ex officio captis tempore R. E. filii R. H. Et sic ntenta in eodem libro pro evidenciis habentur hic in Scaccario et non o Recordo." The same memorandum, word for word, is also written the beginning of "No. 6."

[5] It is hardly necessary to note that the manuscript (n° 5) is before e while I write. For aught I see, the printed book is (here at all ents) well and carefully done; but I naturally prefer to use the manuript itself.

[instead of *sol.*]; then, a word omitted :—" D' Sesfeld' Prioris de Nui
pro iiij.[2] viij. s." (583) when it should have been written, "pro i
carucis. viij. s. These inaccuracies, trifling as they are, indicate eit
carelessness in the writer, or defects in the documents copied,[3] a
encourage the idea that the word 'terre' may have slipped in af
'carucis' through sheer inadvertence. However, to sum up the matt
Making the most of these entries, they are but three in number; a
they are absolutely contradicted, without a single exception, by eve
original document which yet remains, relating to either of the t
carucages of 1220 and 1224; as well as by the inrolments of the kin
two writs, and of the foreign accounts. Further, I am in no way p
pared to admit that '*caruca terræ*' signifies a 'plough-land.' On t
contrary, I believe that it can not and does not mean anything mo
than 'plough,' the word *terræ* being simply redundant. The prop
expression for a plough-land is undoubtedly *carucata terræ*, as invariab
employed in Domesday-book, though varied by the form, "terra ad
carucam"; "terra ad II. carucas"; &c. according to the number
ploughs. The distinction between ploughs and carucates of land
marked and constant in the GREAT SURVEY, notwithstanding t
general and confident assertion, that both are commonly represent
by the same contraction, "car."; and that it is hard to distinguish o
from the other. With very little study one can soon learn the differenc
as, for example, by opening the printed volume at leaf 303, where t
words 'carucatæ' and 'carucæ' are over and over again written
length. "In CARETORP. sunt ad g[e]ld[am]. IIII^{or}. carucatæ. 7. I
carucæ poss[unt] arare." And so in many other parts of Yorkshi
(EVRVICSCIRE).

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[1] I find this spelling repeated in *Exch. Lay Subsidies* (Berks) 73/
in the line—" D' Colecote p^{i}oris de Nuiun pro iiij. car' et dim. et part
ix. s. ix. d." This was an alien priory, to which references may be foun
in the Alphabetical Catalogue of Inrolments in the "Exchequer of Pleas

[2] Not a blank space, as in the printed volume, p. 133.

[3] Sir *Henry Barkly*, in an able paper—printed in *Genealogist*, N.
(ed. *Selby*), v. 35–40—upon TESTA DE NEVILL, has shown how numerou
are the defects arising from "the ignorance and carelessness with whic
the Exchequer volumes were compiled" (p. 39); and how even th
very rolls used by these transcribers were themselves but *copies*, whic
contained at times distinct acknowledgment, that the original document
"were at the time of copying defective and in parts illegible" (p. 37)
For example—"*Non potest plus scribi de hoc Comitatu propter magnum
defectum quod est in rotulo exemplari per quem iste scribitur*," or (i
English), "More cannot be written of this county (Devon) on account o
great defect in the roll from which this is transcribed." This independen
testimony is supplied by Sir *Henry*, after careful collation of certai
"Ancient Miscellanea" with these two Exchequer volumes (5 and 6).

The term 'carucata' was used also—at a later date—for a plough-am of oxen, *carucata boum*. Bishop *Kennett* gives an instance in his *rochial Antiquities* (p. 135) from a charter of *Gilbert Basset;* and the me is found in the pleadings of a suit,[1] Hil. 52 *Hen.* III. (1267-8), by ich it appeared that *Robert* de *Goldesburghe* had acknowledged that had received from *John* rector of the church of Thorentone in Lones-le, as a marriage portion with *Isabel* his wife, daughter of *Walter Tatham*, certain chattels which are duly set forth in a writing under s (*Robert*) hand as :—"*duas* carucatas boum *viginti et quatuor vaccas m uno tauro x. jumenta. duos equos* [et] *decem marcas argenti.*"

The plough-team (*carucata boum*) figures also in the story of an cident by which a serf, being dragged down by oxen,[2] lost his life about e year 1198 :—

HUNDR' DE POWRDESIR'.

Mansipius quidam distractus fuit quadam carrucata boum ita quod iit et Henr' de Burnell'[3] tunc vicecomes cepit boves illos et sunt iiij. sol. et inde idem Ric'[4] debet respondere et unde iij. boves fuerunt sius mansipii et v. fuerunt Wonnig' consocii sui. [*Coram Rege*, n° 9, *hn* [anno tertio], *m.* 2].[5]

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[1] *Assize Roll.* York. N / 1 / 2 } 1, *m.* 18.

[2] Having fallen backwards, while leading as described in the extract . 129) from the *Statistical Account*, he was crushed to death by sheer eight of the foremost yoke of oxen.

[3] At first written *Ric' Reuell*, but struck through and *Henr' de Burnell'* ibstituted over, with a wrong initial to the surname ; for the *Pipe Rolls* 2, 43), 8 *Ric.* I. and 9 *Ric.* I., have under CORNWALL, "Ricardus Reuel enr' de Furnell' pro eo redd.Comp." *etc.*

[4] See the previous note. The name *Richard* should have been altered Henry.

[5] A system—which (unless I am greatly mistaken) promises most sastrous results in the future—of renaming and renumbering docu-ents is now (January 1890) in progress at the Public Record Office. hus I learn at the last moment that the above reference, which held od when I made the extract, is now changed to "*Assize Rolls*, *arious*, n° 77." Unless, then, a very careful register of these altera-ns be kept, many of the references made in printed books before this ne will be rendered absolutely unintelligible. In this connection I will int out that, for *Tower. Miscellaneous Rolls*, n° 19 (page 29, note 1), u must now read *Miscellaneous Rolls* (*Chancery*). *Knights' Services.* 1, or Bundle 8, n° 1. In the case of two previous references (pp. 117, 1), I keep the old title, and change the number only, in order to retain e association with "Miscellaneous Rolls," set out in App. ii. to the cond Report of the Deputy Keeper of the Public Records, 53—65.

This record[1] has some value from the fact of its indicating the norm team of eight beasts in joint ownership, of which some instances ha been seen above in the return of carucage made for Windsor. T man who was killed had owned three oxen, his partner (*parcenari* p. 135) five ; and the animals, valued at three shillings the head, we taken by the sheriff as *deodands*. These forfeitures are now discontinu having been abolished by Statute 9 and 10 Vict. c. 62. Formerly a chattel which was the immediate occasion of death was a deodand, a became forfeited to the Crown.[2]

The first Close Roll of *Hen.* III. shows that very early in the rei a tax was laid upon hides, or carucates, of land. In what manner, after what rate, it was levied cannot be determined in the absence accounts or other specific documents. That it was granted in a gene council, and that money was actually received therefrom, are facts abu dantly proved by a series of entries which are here set forth in chron logical order.[3]

A.D. 1217 9 April. Hidage or Caruage.

The sheriffs of very many counties (twenty-two in all) were severa ordered on 9 April 1217 to respite, until Sunday (23 April) before t feast of Saint *Mark* the Evangelist, the demand which they were maki upon the prior and brethren of the *Hospital of Jerusalem* in England f hidage or caruage which the king had commanded to be taken in th respective bailiwicks (*de hidagio vel caruagio quod capi precepimus in bal tua*) ; because they (the *Hospitallers*) would appear on that day befo the lord legate to hear his commands thereupon. The earl *Willia Mareschal* to be informed at that date by each sheriff, how many hid or carucates of land they have in his bailiwick, and in how much th ought to answer for caruage or hidage (*quot*[4] *hidas vel carucatas te*

[1] My attention has been very kindly called to this entry by Mr. *Paley Baildon*, of Lincoln's Inn, who is editing a volume (iii) for t SELDEN SOCIETY, which "will contain a selection of Civil Cases of t thirteenth century from the Plea Rolls preserved in H.M. Public Reco Office."

[2] See *Blackstone's* COMMENTARIES, &c. (ed. 1829), i. 300, 301 ; al THE INTERPRETER (ed. *Tho. Manley*), 1672 :—

> "*Omnia quæ movent ad mortem sunt* Deodanda.
> *What moves to death, we understand*
> *Is forfeit as a* Deodand."

[3] In face of two articles upon Carucage that have lately appeared the *English Historical Review*, iii. (1888), pp. 501, 702, it is necessary state, that my notes from *Rot. Litt. Claus.* i., which are made use of he and relate to the carucage of the year 1217, are (by the book which n lies before me) dated 15 November 1883.

[4] Contrast these terms with those used by the king in ordering t carucage of 1220—"quot fuerint in baillia tua caruce de quibus donu illud habere debeamus" (p. 133, line 16).

iabeant in ballia tua et de quanto debeant de caruagio vel hidagio respondere). [*Close Roll*, 1 *Hen.* III. *m.* 19 dorso.] A.D. 1217.

Fauke de Breauté was commanded (14 April) to let *Hubert de Burgh* usticiar of *England* have 500 marks of the hidage and aid (*de hidagio et uxilio*), ordered to be taken in the counties committed to him[1] (*Fauke*). On the same day the king commanded the sheriff of *Berkshire*, who with *Walter Foliot* and others had been appointed to assess and receive the idage and caruage (*ad assidendum et recipiendum hidagium et caruagium omitatus Berkes'*) of that county, to commit all money arising therefrom o the custody of the abbot of *Abingdon*, who on the same day was irected to lay it up at Abingdon (here *Abbedone*), and to keep it safely ntil otherwise instructed[2] (*mm.* 19, 18). 14 April Hidage and Aid. Hidage and Caruage.

The king informed (21 April) the sheriff of *Berkshire* and the collectors f aid in that county (*collectoribus auxilii ejusdem comitatus*), that he had eceived by the hands of earl *William Mareschal* ten marks for hidage *le hidagio*) of the manor of Shrivenham, which had been committed to *Henry* de *Trubleville* to assess and collect; and therefore they were to ccount with the said *Henry* for that sum[2] (*m.* 18). *Robert* de *Mortimer* as acquitted (7 June) of the hidage, caruage and aid which had been ssessed by the king's command (*hidagium caruagium et auxilium quod*[3] *e precepto nostro assisum est*) in the counties of Oxford, Warwick and eicester[2] (*m.* 16). The sheriff of the county of *Southampton* was ordered 13 June) to leave in peace all religious men and houses of what order ever in his county, as concerned the hidage now by the king's command ist assessed there (*de hidagio quod per preceptum nostrum nunc ultimo ssisum fuit in eodem comitatu*), because they had satisfied the king for ie same[2] (*m.* 16 dorso). And on the 23rd of July the sheriff of *Rutland-hire* was commanded not to require, or to permit his officers to require, idage, sheriff's aid, suit or the like (*hidagium auxilium*[4] *Vicecom' sectam* 21 April Hidage. 7 June Hidage Caruage and Aid. 13 June Hidage 23 July Hidage, Sheriff's Aid.

[1] *Patent Roll*, 1 *Hen.* III. *m.* 9. *Fauke* was, up to his fall and disgrace in 1224, sheriff of the counties of Northampton, Oxford, Buckingham and Bedford, Cambridge and Huntingdon.

[2] *Close Roll*, 1 *Hen.* III. Printed in *Rot. Litt. Claus.* i. 306 a. (*mm.* 19, 18); 306 b, 307 a (*m.* 18); 310 a (*m.* 16); 336 a (*m.* 16 dorso).

[3] Observe the use of "quod" in the singular, as denoting one tax.

[4] AUXILIUM VICECOMITIS. "Whatever this tax may have been in its origin, it became a fixed sum payable for the most part out of particular tenements or manors. It is still payable under the name of *sheriff's aid* in several Cornish manors, as Penmayn, &c. Dr. Cowel speaks of it as paid to the sheriff 'for the better support of his office.' Fleta (lib. 3, cap. ., s. 9) mentions it as a personal prestation and not a service. It seems, however, to have been a commutation for personal service, and was known in Normandy. Rot. Scacc. Norm. Stapleton's Observations, Vol. i. pp. 65, 87, 122." [MONASTICON DIOECESIS EXONIENSIS, by *George Oliver*, D.D. Exeter, 1846, folio, page 491.]

A.D. 1217. 10-12 Aug. *vel hujusmodi*), from the lands of *William* de *Cantiloup*[1] (m. 14). *Jo* de *Harecurte* was to be allowed (10 and 12 Aug.) by the sheriff of *Leicest* *shire* to take such aid from his manor of Roleg' (Rothley), as the ki would take, if that manor were in the king's hand [1] (*m.* 11).

10 Aug. Hidage. 1217–18 9 Jan. Carucage and Hidage. The sheriffs of *Yorkshire* and of several other counties were order (10 Aug.) to permit *William Mareschal* the younger to take the hida which had been assessed in the lands and tenements granted to him the king[2] (*m.* 12). The bailiffs of *Wanetinge* were ordered (9 Janua 1217–18) to pay to the sheriff of *Berkshire* £37, which they had receiv of the carucage and hidage assessed by the council (*de carrucagio hydagio quod assisum fuit per consilium regni nostri*) of the real (*m.* 12).

8 Nov. 1223. The latest reference that I find in the Close Rolls to this tax of 12 is under date, 8 Nov. 1223, on which day *Henry* ordered the sheriff *Berkshire* to produce before the barons of the exchequer, in fifteen da from the feast of S. *Martin* (*i.e.* 25 Nov.), the king's writs, by whi *William Mareschal* the elder earl of *Pembroke* was made to have t

Hidage and Caruage. hidage and caruage of Wanetinge (Wantage), for strengthening Ma borough castle (*hidagium et caruagium de Wanetinge ad castri nostrum de Merleberge firmandum*).[4] The levy here mentioned must that of the first year (1217), for the earl died in May 1219 (as alrea seen, p. 80).

Although no accounts are known to be in existence, it is not i possible that an undated return, found in *Testa de Nevill* (84–86) for t county of Leicester, may relate to this carucage, from its presenting t like hazy and indefinite character, and from its being mixed up w "sheriff's aids." There is, first, an enumeration of carucates and bova in certain places, under the two hundreds of Framelund[5] and Gert Here, though the contraction "*caruc.*" is used, the association w bovates shows that carucates are meant and, indeed, in two instanc the word is extended to "*carucat'*," thus :—"De Melton vj caruc' et de feodo Templi et Steph' de Segrave iij carucat'" (85 a); and, "Rethirby ij carucat'" (85 b). This table of carucates is followed b list, headed "Auxilia vic' de Framelund," which seems to have so connection with what has gone before. The calculation does not alw work out satisfactorily, as in the first item quoted below ; but, if there

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[1] *Close Roll*, 1 *Hen.* III. Printed in *Rot. Litt. Claus.* i. 315 a (*m.* 1 319 a (*m.* 11).

[2] *Close Roll*, 1 *Hen.* III. Printed in *Rott. Lit. Claus.* i. 318 b.

[3] *Close Roll*, 2 *Hen.* III. Printed in *Rot. Litt. Claus.* i. 348 b. Obse again "quod" in the singular number.

[4] *Close Roll*, 8 *Hen.* III. *m.* 18. Printed in *Rot. Litt. Claus.* i. 574

[5] Framland hundred is in the N.E. corner, next to Lincolnshi Gartree hundred, on the S.E. side, adjoins the cos. of Rutland a Northampton.

any system at all to be derived from the figures, a sum of eight-pence was laid upon the carucate. For more ready comparison of the two, they are placed side by side :—

(p. 84) Framelund	(p. 85)
De testa de Nevill	Auxilia vic' de Framelund
(1) In Overton xij caruc'	De Overton v. sol' viij. den'
(2) De Sumerdeby Tatisale iij caruc' min' ij bovat'	De Sumerdby Tateshal xxij. d.
(3) De feodo Quatremars j caruc' et vj bovat'	De Sumerdby Quatremars xiiij.d.
* * *	
(4) De Danby Tatissale iiij caruc'	Danby Tateshale xxxij. d.
(5) Ibidem de feodo Paynel ij caruc'	Danby Paynel xvj. d.

(1) Twelve carucates at 8*d.* make 8*s.*, *not* 5*s.* 8*d.* (2) Three carucates less two bovates (taking the carucate at eight bovates), or two carucates and six bovates (at 8*d.*) = 22 pence. (3) One carucate and six bovates (at 8*d.*) = 14 pence. (4) Four carucates (at 8*d.*) = 32 pence. (5) Two carucates (at 8*d.*) = 16 pence.

However, all this is put forward as mere conjecture. The mention of *Stephen* de *Segrave* above (p. 146) points to the reign of *Henry* the Third ; as, according to *Foss*, he became justiciar of England in 1232 (*Tabulæ Curiales*), and his name has already appeared (p. 69) in the *teste* to the king's writ ordering an assize of arms in 1230.

Edward the First

(20 November 1272 – 7 July 1307)

A Fifteenth[1] of Moveable Goods

(*)

A° 3° Edw. I. 13 Oct. 1275.

In a Parliament holden at Westminster 13 Oct. 1275, the prelates, earls, barons and commonalty of the realm granted to the King a FIFTEENTH of all their moveable goods toward the relief of his estate.

EDWARD was yet in the Holy Land at the time of his father's death which happened in the evening of Wednesday the 16th of November 1272; but, notwithstanding his absence from England, his peace was publicly proclaimed on the following morning in Westminster hall, and in his name firmly enjoined upon the people there assembled.[2] *Henry* was buried with great solemnity before the high altar of Westminster abbey on Sunday the 20th of the same month, being the feast of Saint *Edmund* king and martyr; from which date the reign of *Edward* the First began. Here it is necessary to notice a strange misconception started by Sir *Harris Nicolas*[3] with regard to the regnal years of this king. It is nothing short of marvellous that this error should have been universally accepted in spite of the abundant, indeed superabundant, evidence to the contrary. Yet so specious is the reasoning employed

[1] No documents found for LANCASHIRE.

[2] These particulars are related in a letter, bearing date 23 Nov. 1272 and addressed to *Edward* by the archbishop of *York* with other notable persons. See Rymer's *Fœdera*, i. 497.

[3] *Chronology of History* (2nd Edition), pp. 311–313.

and so fatuous the trust reposed in "authorities," that it is all but hopeless to expect any impression to be made upon such fond belief by proofs, however overwhelming. None the less I shall make the effort; and, for this purpose, Sir *Harris Nicolas*'s comments are quoted at length:—

"Besides the Rolls in the Tower, and various Wardrobe accounts, which fully prove that the regnal years of Edward I. began and ended on the 20th of November, the fact is shown by the record of the surrender of the Kingdom of Scotland by John Baliol, in November 1292. The first convention on the subject is dated May 1, 20 Edw. I., 1292. Other conventions were held at different times in that year; and the seventeenth and last convention is dated *Monday* the *seventeenth* of November, 20 Edward I., which was likewise in 1292. At that convention it was determined that Baliol should do homage to Edward on the Thursday following, the feast of St. Edmund, King and Martyr, namely, the *twentieth* of November. The next instrument is tested at Berwick on Tweed, '*decimo nono die Novembris*, anno regni nostri *vicesimo*'; which is followed by one . . . dated on *Wednesday*, the vigil or eve of the feast of St. Edmund, King and Martyr, namely, the *nineteenth of November*. This is followed by the record that Baliol took the oath of fealty to Edward, which commences in these words:—'Die Jovis sequenti, scilicet *vicesimo die Novembris*, in festo Beati Eadmundi Regis et Martiris, anno prædicti Domini E. Regis Angliæ *vicesimo finiente*, apud Norham . . . Postmodum, eodem die, confectæ fuerunt quædam litteræ . . . apud Norham, die *Jovis*, *in festo Sancti Eadmundi Regis et Martiris*, anno Incarnationis Dominicæ Millesimo ducentesimo nonagesimo secundo, et regni ipsius domini nostri Edwardi *vicesimo finiente*, *et vicesimo primo incipiente*,' &c.

"Notwithstanding the dictum of Lord Chief Justice Coke, that, in computations of time, 'the law doth reject all fractions and divisions of 'a day, for the uncertainty which is always the mother of confusion and 'contention,' it is evident, from this record, that there was a fraction of a day in computing the regnal years of the Kings of England; for what occurred in the early part of the day, on the 20th of November, 1292, respecting Baliol's surrender of the sovereignty of Scotland, was said to be the twentieth year of Edward I.'s reign; whereas, in the proceedings at a later part of the day, the 20th of November is said to be the *end of the twentieth*, *and the beginning of the twenty-first year of his reign*. It would be impossible, and it is scarcely necessary, for practical purposes, to decide at what hour of the day the separation occurred, whether at noon, or at the precise hour in which the act of accession occurred; but it is evident that, instead of the regnal year closing on the day before the anniversary of the accession, that anniversary happened in two regnal years; thus producing the 'uncertainty' apprehended by Lord Coke; but the fact is not, in itself, very material, because it only relates to one day, and the year of our Lord must always be the same. The account of the regnal years of Edward I. in the Red Book of the

Exchequer agrees with the fact :—'Item data Regis Edwardi filii dicti Regis Henrici mutavit singulis annis die Sancti Edmundi R. videlicet xx die mensis Novembris.'"

The "Wardrobe acounts" of this reign do *not* "fully prove that the regnal years of *Edward* I. began and ended on the 20th of November." In point of fact, they show no more than this: they run from feast-day to feast-day, like Ministers' Accounts [1] which are reckoned from the Michaelmas-day of one year to the Michaelmas-day of the year following, in the manner seen by the subjoined title :—

"Rotulus hospicii Regis Edwardi filii Regis Henrici a festo sancti Edmundi Regis et Martiris anno regni Regis Edwardi predicti vicesimo primo *incipiente* usque dictum festum anno revoluto . . ." (20 Nov. 1292-20 Nov. 1293)

[*Exch. Q.R. Misc. Wardrobe Account* $\frac{7}{1a}$]

But, when they mention the regnal year precisely, these forms are used :—

"a xx° die Novembris *anno xvij° incipiente* usque xix. diem Novembris *anno eodem finiente* per CCC. lxv. dies." (20 Nov. 1288 to 19 Nov. 1289)

[*Exch. Q.R. Misc. Wardrobe Account* $\frac{4}{7}$]

"Et comp. in operacionibus . . . a festo Pasche anno r. r. E. septimo usque ad vigiliam sancti Edmundi regis et martiris *ipso anno finiente*." (2 April to 19 Nov. 1279)

[*Exch. Q.R. Misc. Wardrobe Account* $\frac{1}{34}$]

". . post ultimum compotum suum factum in Vasconia anno xvij°. usque xix. diem Novembris *anno xviij finiente* in presencia dicti Walteri . . ." (up to 19 Nov. 1290)

[*Exch. Q.R. Misc. Wardrobe Account* $\frac{4}{6}$]

"Domino Rad'o Elem° Regine percipienti pro elemosina dicte Regine quolibet die quando itinerat ij. s. st' pro elem^a hujus *a xx. die Novembris anno xvij°. incipiente* videlicet *a principio istius anni* usquequo Rex venit apud Burgum in Norff' scilicet usque xxv. diem Sept. infra quod tempus Regina itineravit per C. xxiij. dies et non amplius pro eo quod moram traxit retro Regem . . ." (20 Nov. 1288 to 25 Sept. 1289)

[*Exch. Q.R. Misc. Wardrobe Account* $\frac{4}{7}$]

The duration of the regnal year is very exactly defined by these two Writs of Privy Seal; one fixing the *last* day of the 28th year; the other, the *first* day of the 29th year :—

"Edwardus *etc.* Monasterio sancti Germani de Seleby cura pastorali destituto per cessionem fratris Johannis nuper Abbatis ejusdem . . .

[1] See the title "De exitibus," *etc.*, n°. 4 (p. 151).

Dat' sub privato sigillo nostro apud Bowes *xix. die Novembris anno* regni nostri *vicesimo octavo finiente.*" [*Privy Seals*, 28 Edw. I. n° 2176] 19 Nov. 1300.

"Edward *etc.* Nous enveoms a vous mons' Hugue de Seint Philebert . . . Don' souz nostre prive seal a Kirkeby Fletham *le xx. jour de Novembre lan* de nostre regne *vint et noevyme comenceant.*" [*Privy Seals*, 29 *Edw.* I. n° 2178] 20 Nov. 1300.

The foregoing examples suffice to disprove the rash assertion, that the regnal years of *Edward* began and ended on the *same* day, the 20th of November; for it is seen plainly that each regnal year naturally and properly ended on the *nineteenth* of November. Moreover, the participles, *finiente*, *incipiente*, are employed in the vast majority of cases not—as Sir *Harris Nicolas*, in reliance upon an isolated entry, erroneously supposed—to mark the precise ending or precise beginning of a regnal year, but rather in the sense of (as one should say) "towards the end," "towards the beginning" of such and such a year. Of this use the records, not only of this but of other reigns, furnish constant and ever-recurring instances, so that the failure to notice them is absolutely incredible.

1. "Compotus Ph'i de Wilueby de garderoba Regis a quarto die Nov. anno lvij. R. H. *incipiente* quo die Rex applicuit apud portum T^apolin usque ad diem sancti Luce Ewangeliste anno secundo antequam R. committeret custod' ejusdem gard' Magistro Thome Beke per breve Regis et visum et testimonium Th' de Gounneys qui habuit contra-rotulum in gard' predicta." (4 Nov. 1272 to 18 Oct. 1274) 4 Nov. 1272. — 18 Oct. 1274.

[*Exch. Q.R. Misc. Wardrobe Account* $\frac{1}{34}$]

2. "De Garderoba Regis a die sancti Luce Evangeliste anno ij°. *finiente* per Magistrum Thomam de Beke usque festum sancti Edmundi confessoris anno iij°. *incipiente anno iiij°.* a quo tempore idem comp' inde in Rotulo vij°." (18 Oct. 1274 to 20 Nov. 1275) [*Exch. L.T.R. Repertory to Foreign Accounts*, Case 3, n° 2] 18 Oct. 1274. — 20 Nov. 1275.

3. "Placita de Assisis et Juratis capta apud Ebor' in Octabis sancti Michaelis coram J. de Reygate et W. de Northburg' anno r. r. E. quarto *incipiente quinto.*" (6 October 1276) 6 Oct. 1276.

[*Assize Roll* N 1 3 } 1. York]

4. "De exitibus ville et com. Cestr' per Guncelinum de Badlesmere a festo sancti Michaelis *anno v. incipiente* usque idem festum *anno vj. incipiente* antequam" *etc.* (29 Sept. 1276 to 29 Sept. 1277) [*Exch. L.T.R. Repertory to Foreign Accounts*, Case 3, n° 2] 29 Sept. 1276. — 29 Sept. 1277.

5. "De exitibus Episcopatus Karl' per eundem Thom' de Normanville a iij°. die Octobris anno vj^to *finiente* usque x. diem Julii anno viij. antequam redderet temporalia ejusdem Episcopatus Rad'o de Irton' prefecto." (3 Oct. 1278 to 10 July 1280) [*Pipe Roll*, 12 *Edw.* I.] 3 Oct. 1278.

29 Sept. 1286. **6.** "Dies dati vicecomitibus ad computandum post festum sancti Michaelis anno r. R. E. xiiij° *finiente*."
[*Memoranda, L.T.R.* 14-15 *Edw. I.* Ro. 25 dorso]

1 Nov. 1289. **7.** "Ricardo Genticors percipienti per diem vij. d. q. pro vadiis suis a primo die Novembris anno xvij°. *finiente* usque ultimum diem Junii anno presenti utroque computato . . ." (1 Nov. 1289 to 30 June 1290)
[*Tower. Wardrobe Book*, 17-18 *Edw.* I.]

29 Sept. 1290. — 29 Sept. 1291. **8.** "Compotus Thome de Normanville clerici Regis ultra Trentam Escaetoris de exitibus ballive sue a festo sancti Michaelis anno r. r. E. xviij. *finiente* usque ad idem festum proximo sequens anno xix°. per annum integrum." (29 Sept. 1290 to 29 Sept. 1291)
[*Escheators' Accounts* ultra Trentam (18-19 *Edw.* I.) $\frac{3}{5}$]

Mich. term 1291. **9.** "Placita coram domino Rege de Termino sancti Michaelis anno regni Regis Edwardi filii Regis Henr' *decimo nono finiente incipiente vicesimo*." (Michaelmas term, 9 Oct. to 28 Nov. 1291) [*Coram Rege* (130), *Mich.* 19-20 *Edw.* I.]

30 Sept. 1294. **10.** "Compotus fratris Joh'is de Stiuenach' prioris de Wymundeham collectoris subsidii medietatis bonorum spiritualium et temporalium . . . in episcopatu Norwic' . . . . . per breve Regis patens datum xxx. die Septembris anno regni Regis E. *xxij. finiente incipiente xxiij.* Cujus medietatis" *etc.* [*Exch. L.T.R. Foreign Accounts*, Roll n° 1, *m.* 31.]

Mich. term 1294. **11.** "Rex *etc.* in termino sancti Michaelis anno regni nostri vicesimo secundo *finiente* incipiente vicesimo tercio per umam talliam . . ." (Mich. term, 9 Oct. to 29 Nov. in 1294.)
[*Tower. Miscellaneous Rolls*, 16/13, *m.* 3.]

5 Nov. 1295. **12.** "De Manerio de Corsingtone . . . a festo Omnium Sanctorum anno xxij°. usque diem Martis prox' ante festum Sancti Edmundi Regis anno xxiij° *finiente* . . ." (1 Nov. 1294 to 15 Nov. 1295)
[*Pipe Roll*, 26 *Edw.* I. (Hereford)]

1 Oct. 1294. **13.** "De exitibus terr' et ten' Joh'is de Britann' Com' Richem' in Anglia capt' in man' Regis occasione guerre in Francia per Hasculphum de Cliseby a primo die Octobris anno xxij° *finiente* usque primum diem Aprilis anno xxvj^to^ quo die lib' predicto Joh'i tenend' de gracia R. durante sufferencia guerre cum bonis et catallis" *etc.* (1 Oct. 1294 to 1 April 1298) [*Pipe Roll*, 27 *Edw.* I.]

20 Nov. 1298. **14.** ". . . del xx. jour du moys de Novembre lan du regne nostre seignur le Roi avandit xxvij. prochein avenir *comencant* jusques au derreyn jour du moys de Juyn le primer jour et le darreyn acontez par CCxxiij. jours." (20 Nov. 1298 to 30 June 1299)
[*Exch. Treasury of Receipt. Miscellanea* $\frac{42}{29}$]

15. "Compotus Mag'ri Ric'i de Haveringe Escaetoris Regis ultra Trentam de escaetis R. ibidem a ij. die Aprilis anno xxvij. quo die Rex

commisit eidem Ric'o officium escaetar' predicte per breve R. patens usque festum sancti Michaelis prox' sequen' eodem anno xxvij° *finiente* et ab eodem festo . . . " (2 April to 29 Sept. 1299) 29 Sept. 1299.

[*Escheators' Accounts* ultra Trentam (27-33 *Edw.* I.) $\frac{3}{8}$]

16. " Inquisicio de terris . . . capta apud Derley in Pecko in Com. Derb. die Mercurii in festo sancte Lucie virginis anno regni Regis Edwardi xxx. *incipiente* per sacr'm . . . " (13 Dec. 1301) 13 Dec. 1301.

[*Chancery Inq. p. m.* 30 *Edw.* I. n° 48]

17. " Compotus predicti Magistri Ric'i de Haveringe Escaetoris Regis ultra Trentam de exitibus terrarum et ten' que fuerunt Joh'is de Warrenna nuper Comitis Surr' defuncti . . . a xxvij° die Septembris anno xxxij° *finiente* quo die dictus Comes obiit usque crastinum Pasche proximo sequentis videlicet xix. diem Aprilis anno xxxiij°." (27 Sept. 1304 to 19 April 1305) 27 Sept. 1304.

[*Escheators' Accounts* ultra Trentam (27-33 *Edw.* I.) $\frac{3}{8}$]

18. " Rex quinto die Octobris anno xxxij° *finiente* assignavit Will'm de Rodestone et Nich'm de Pershete ad vendicioni exponend' quedam jumenta Regis debilia et quosdam pullanos Regis in parcis " *etc.* 5 Oct. 1304.

[*Memoranda* (*L.T.R.*), 32-33 *Edw.* I. Ro. 4]

The very first extract by chance establishes the point in question, and shows that the like system prevailed in other reigns. The regnal years of *Hen.* III. actually began on the 28th of October (p. 2), but here is the 57th year of his reign made to commence (adopting Sir *Harris Nicolas*'s mode) on the fourth of November, 1272. So the next (2) makes the second year of *Edw.* I. finish on the 18th of October (instead of 19 Nov.) 1274. Without being at the trouble to comment on the whole of the foregoing extracts, which might be indefinitely augmented if occasion required, the reader may see at a glance (assisted by the reference numbers), that *Edward*'s regnal year, if any strict meaning were to be attached to the terms, *finiente*, *incipiente*, ended—27 Sept. 1304 (17); 29 Sept. 1286 (6); 29 Sept. 1299 (15); 1 Oct. 1294 (13); 3 Oct. 1278 (5); 5 Oct. 1304 (18); 18 Oct. 1274 (2); 1 Nov. 1289 (7); 15 Nov. 1295 (12); and began—29 Sept. 1276, 1277 (4); 29 Sept. 1290 (8); 6 Oct. 1276 (3); 20 Nov. 1298 (14); and 13 Dec. 1301 (16). Lastly, by the same rule, the 22nd year ended and the 23rd year began on the *same day*, viz. 30 Sept. 1294 (10).

As already stated, the same use of terms for such a year ending, or such a year beginning, obtained under other kings. The public records positively swarm with these year-dates, and the few here selected are put forth in mere illustration of a fact which any one can test for himself if so disposed. Taken alone, the next extract (19) would seem to imply that the 21st year of *Hen.* III. began on the *eve* of SS. *Simon* and *Jude*, or the 27th of October, instead of beginning (as it actually did) on the

feast-day itself. By the three following (20–22) the respective regnal years of the same king are said to begin 29 Sept. and 20 Oct. in 1246, and 30 Sept. in 1251. From these, as well as those before recited, it is plain that the addition of *finiente* or *incipiente* has for the most part no further meaning than to clearly indicate the regnal year intended. In one case (25) the word "intrante" is used in the same sense, as explained by the note appended. The year of Our Lord 1268, even so late as 27 May, is described (23) as "beginning," though the date is two months after its actual commencement according to the computation of the Church (25 March).

27 Oct. 1236. **19.** "Compotus Walteri de Kyrham per visum et testimonium Will'i de Haverhulle de receptis ejusdem ab Invencione Sancte Crucis anno xx°. usque ad vigiliam apostolorum Simonis et Jude *anno incipiente xxj°.* utraque die computata." (3 May to 27 Oct. 1236)

[*Pipe Roll*, 20 *Hen.* III. Rot. 2, membr. 1 dorso]

In Com. Lanc'

29 Sept. 1246. **20.** "Compotus Thom' de Staunforde et Roberti de Creppinge a festo sancti Mich. *anno xxx° incipiente xxxj* usque ad Pasch' anno xxxij. scilicet per j. ann' et dimid'." (29 Sept. 1246 to 19 April 1248)

[*Pipe Roll*, 31 *Hen.* III. Rotulo compotorum]

20 Oct. 1246. **21.** "Placita et Assise capte apud Lancastr' a die sancti Michaelis in tres septimanas anno regni Regis Henr' filii Regis Joh'is tricesimo *incipiente tricesimo primo* coram R. de Thurkelby et sociis suis."

[*Assize Roll* (Lancaster) $\left.\begin{matrix} M \\ 3 \\ 1 \end{matrix}\right\}$ 1]

30 Sept. 1251. **22.** "Placita Assisarum de comitatu Ebor' in crastino sancti Michaelis coram . . . justic' itinerant' anno r. r. H. xxxv^to^. *incipiente xxxvj^to^.*"

[*Assize Rolls*, *Various*, *n°* 119; vice *Coram Rege*, *Hen.* III. n° 88.]

27 May 1268. **23.** "Anno ab Incarnacione Domini *M°. CC°. Sexagesimo octavo incipiente* ad Pentecosten ita convenit inter Saerum de Sutton' ex una parte et Joh'm filium Martini de Otringham et Sibillam filiam Remigii de Pokelinton' ex altera."

[*Assize Roll* (52 Hen. III.) $\left.\begin{matrix} N \\ 1 \\ 2 \end{matrix}\right\}$ 1. *m.* 36.]

¶ The year 1268 began on 25 March, and Pentecost fell on 27 May.

10 Oct. 1337. **24.** "Compotus . . . scutagii de excercitu Regis Scocie anno primo Regis hujus in Com. Lancastr' . . . a x°. die Octobris *anno xj°. finiente* . . . usque xvj. diem Febr' proximo sequen' quo die" *etc.* (10 Oct. 1337 to 16 Feb. 1337–8).

[*Exch. Lay Subsidies* (Lancashire) $\frac{130}{4}$]

27 Jan. 1352–3. **25.** "Dat' apud Yevele die Dominica proxima post festum Conversionis Sancti Pauli anno regni Regis Edwardi tercii post conquestum *vicesimo septimo intrante.*" [*Chancery. Ancient Deeds.* B 6350.]

¶ The feast of the Conversion of S. *Paul* (25 January) was the first day of *Edward* the Third's regnal year, and the Sunday after that feast in his 27th year was 27 January 1352–3.

26. "De exitibus Escaetrie Regis in Comitatibus[1] Bed' Buk' Cant' et Hunt' a sextodecimo die Decembris *anno xlix°. finiente* usque sextumdecimum diem Decembris proximum sequentem videlicet per unum annum integrum." (16 Dec. 1375 to 16 Dec. 1376) 1375. — 1376.

[*Enrolled Escheators' Accounts* (Various Counties), n° 17, 45 *Edw.* III. to 1 *Ric.* II.]

¶ The 49th year of *Edw.* III. ended 24 January 1375–6.

It is manifestly bold to deduce from a single sentence the conclusion above quoted (p. 149) as to the commencement of *Edward*'s regnal years ; but to pass from the particular to the general, and to pretend that, because this king appeared to do something, other kings of *England* did the same, is a display of even greater daring. Yet this is what *Nicolas* has done. "It is evident, from this record," (he says) "that there was a fraction of a day in computing the regnal years of the Kings of England." In so pronouncing with all the air of superior knowledge, he seizes the opportunity to correct lord *Coke*, with whom Sir *Harris Nicolas*—at no time remarkable (unless his contemporaries have greatly misreported his habitual style) for excessive modesty—would scarcely have ventured to measure himself in knowledge, or in fame, whether regarded as a legal antiquary, or as an antiquarian lawyer. "Notwithstanding the dictum" of *Nicolas*, it is most abundantly clear that *Edward* began a new regnal year on a fixed day (20 Nov.) and ended the previous year on the day preceding (19 Nov.) Since this sheet has stood in type, more and more instances of this incontrovertible fact have come to my notice ; but I refrain from pressing them upon the attention of the reader, being fully convinced that the person, who resists the evidence here laid before him, is indeed in a hopeless mental condition.

Scarcely was the grave of *Henry* closed when the whole body of prelates and magnates, before the multitude who had flocked into Westminster abbey, swore fealty to *Edward* as their lord and king, and caused his peace to be again proclaimed. Three days after (23 Nov.) the sheriffs in England were commanded to proclaim the king's peace throughout their several bailiwicks in all cities, boroughs, fairs, markets and other places ; and to cause it thereafter to be firmly kept by all under pain of disherison, and losing life or limb, for any infraction.[2] Writs dated (7 Dec.) at Westminster, by the hand of *Walter* de *Merton* *A.D.* 1272. 23 Nov. 7 Dec.

[1] These counties were afterwards separated by writ of 26 Nov. 1 *Ric.* II. (1377). Office of Escheator of Beds and Bucks granted to *Walter Craneford;* that for Cambridge and Huntingdon to *Ralph* de *Wyke.*

[2] *Close Roll*, 1 *Edw.* I. *m.* 11 ; printed in *Fœdera*, i. 497, and by *Brady* in his *History*, ii. Appendix, n° 1.

A.D. 1272. chancellor, were issued to the like effect for Ireland; and the prelates, earls, barons, knights and freemen of that dominion were enjoined to take the oath of fealty before commissioners duly appointed for the purpose. The old seal had been broken immediately after *Henry*'s death, and a new one ordered to be made, keepers of the king's treasure and guardians of the realm being appointed in the meantime. Thus the business of government was conducted in the king's name, exactly as if he were personally present; and by public announcement *Edward* was made to assert, that on the death of *Henry* the throne had devolved to him by hereditary succession, and with the loyal assent of his faithful magnates.[1]

Tallage 1273 At the beginning of the following year (27 Jan. 1272-3) tallage was ordered to be assessed;[2] and later (18 July 1273), the treasurer and barons of the exchequer were commanded[3] to audit the accounts of the Twentieth, granted during the late king's reign in aid of the Holy Land (p. 100), and to allow all expenses incurred by the receivers[4] of that tax, if such allowances had been authorized by mandate of the archbishop of *York*, *R.* de *Mortimer* and *Robert Burnel*, acting on *Edward*'s behalf (*locum nostrum tenentes*). The large sums which the king owed to foreign merchants were still further increased by his delay in returning to his own kingdom. The sheriffs were reminded of these debts, and urged to levy all the king's dues before the feast of *S. Laurence* (10 Aug. 1273), so as to have them at the exchequer at Westminster on the morrow of that feast (11 Aug.); because the king was under an obligation to satisfy his creditors before the 17th of August.[5] Sums, varying from twenty marks in Kent to £100 in Yorkshire, are specified. *Edward*, 1274 writing 9 May 1274 from Limoges, gives evidence himself as to a great (but indefinite) sum of money in which he was bound to the king of *France*, payment whereof was to be made about Midsummer-day following; and, beside this, wanting more for his expenses on coming into France, all money that could be procured from every quarter was to be sent to Paris to await his arrival there.

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[1] "Cum defuncto jam celebris memorie domino Henrico rege patre nostro ad nos regni gubernaculum successione hereditaria ac procerum regni voluntate et fidelitate nobis prestita sit devolutum." [*Close Roll*, 1 *Edw.* I. *m.* 11.]

[2] *Patent Roll*, 1 *Edw.* I. *m.* 18. "De Tallagio assidendo." See also *Close Roll*, 2 *Edw.* I. *m.* 14, where is found a strip of parchment, headed "Persone quibus scribendum est pro Rege."

[3] *Close Roll*, 1 *Edw.* I. *m.* 6 and *m.* 5 schedule.

[4] On 24 Jan. 1272-3, the king's treasurer and chamberlains were directed to deliver to *Richard* de Ripariis (pp. 95, 96), one of the taxors of the Twentieth in the county of Gloucester, one hundred shillings for his expenses connected with the same. [*Parliamentary Writs*, i. 381]

[5] See a schedule attached to *m.* 6 of the *Close Roll*, 1 *Edw.* I.

Roberto Burnel et fratri Josepho de Counci

Quia in magna summa pecunie illustri regi Francie tenemur solvenda circa festum beati Johannis Baptiste proximo venturum et eciam magna summa pecunie indigemus pro expensis nostris cum ad partes Francie veniemus vobis mandamus quod omnem pecuniam quam de nostro undique perquirere poteritis contra adventum nostrum Paris' ad nos transmittatis ibidem. Dat' Lemovic' ix. die Maii anno [regni] *nostri secundo.* [*Memoranda* (*Q.R.*), 1 & 2 *Edw.* I. *m.* 7.] 9 May 1274.

Edward remained abroad for the greater part of the second year of his reign and returned to England in August 1274, landing at Dover on the second day of that month.[1] Thence he proceeded to Westminster, where he was crowned on Sunday the 19th of August by *Robert* de *Kilwardeby* archbishop of *Canterbury*. Even then, in spite of his necessities, he did not immediately proceed to tax the nation at large. This course was postponed to the following year. Edward's return, 2 Aug. 1274. Crowned 19 Aug. 1274.

The first parliament—which assembled at Westminster 22 April 1275—after enacting the 'Statute of Westminster the First,' granted to the king (on Sunday the feast of S. *Dunstan*, 19 May), for himself and his heirs, custom in all ports throughout England, Wales and Ireland, namely; half a mark upon every sack of wool, half a mark upon every 300 skins (or woolfells), and one mark upon every last of leather.[2] In the next parliament, holden also at Westminster on the 13th of October following, the prelates, earls, barons and commonalty granted a Fifteenth of all moveable goods toward the relief of the king's estate (*ad relevacionem status nostri*), as recited in the writ;[3] or, in other words, for payment of *Edward*'s debts contracted in the Holy Land, and for staying the importunity of his numerous creditors.[4] 19 May 1275. Custom granted. 13 Oct. 1275. Fifteenth granted.

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[1] So by the *Close Roll*, 2 *Eaw.* I. *m.* 5, quoted by Sir *Harris Nicolas* (*Chronology of History*, 2nd edition, p. 292); and by the *Patent Roll* 2 *Edw.* I. *m.* 9.

[2] The 'Statutes of Jewry,' left of "uncertain date" in *Statutes of the Realm*, i. 221, were published before 24 May 1275, the date of a writ commanding the lands of a *Jewry* debtor to be valued. The return then made (*Chancery Inq.* 3 *Edw.* I. n° 38) has words, *unde secundum* statuta domini Regis *Judeo qui debitum exigit*, which distinctly point to N° 3 of these Statutes (see below, note 2, p. 173).

[3] Printed in *Parliamentary Writs*, i. 3 (12).

[4] "In quindena Sancti Michaelis proximo sequente convocatis generaliter apud Westmon' tocius regni magnatibus habitoque cum ipsis diffusiore tractatu dominus rex voluntarie vel invite laycos et clericos universos et singulos tocius regni sui precum interveniente precedencia prudenter induxit quod de omnibus bonis suis temporalibus partem sibi quintamdecimam concesserunt quo sumptus in estimabiles quos fecerat in Syria recuperaret et inportunas creditorum exacciones soluta pecunia mitigaret." [*Ann. Mon.* (T. Wykes), iv. 265]

By the king's letters,[1] dated 24 Oct. 1275, certain persons, enjoined to act under the advice of a superior specially nominated, were assigned in the several counties to value and tax the Fifteenth of moveable goods, lately granted in Parliament, according to the form delivered to them, but which is not now found to be upon record. The money so levied was to be laid up in the places directed for the purpose, until further order should be had therein. For Cumberland and Lancashire were appointed *Ranulf* de *Acre* and *William* de *Herlawe*, with *Geoffrey* de *Neville* as their superior; and the place in which the money was to be temporarily deposited was Carlisle priory. The amount raised in Lancashire was £965 1*s.* 10*d.*, as seen in the Account below. Of this sum, £300 were received by *Guncelin* de *Badelesmere*[2] justiciar of *Cheshire;* and £660 by the merchants of *Lucca*, leaving due a balance of £5 1*s.* 10*d.* These particulars are set out in the inrolments of Accounts, from which the following extracts are taken :—

[Ro. 7] ROTULUS compotorum Quintedecime domino Regi E. filio Regis H. tercii concesse per Angliam et assesse anno regni sui tercio.

GLOUCESTR'

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LANCASTRE

[Ro. 10] NICH'S DU LE[3] collector xv^me^ in hoc Com' r. comp. de DCCCC. lxv. li. xxij. d. receptis de eadem xv^ma^ in hoc Com' sicut continetur in Rotulo de particulis quem Ran' de Dacre et Will's de Herelawe assessores ejusdem xv^me^

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[1] See the said letters printed in *Parliamentary Writs*, i. 3 (12).

[2] Many years after, the abbot of *Chester* was called to account for the 15th [here, by error, named 14th], granted in 3 *Edw.* I. by the commonalty of the county. He denied his liability, and said that *Goncellyne* de *Badlesmere*, then justiciar of *Chester*, collected the tax in question. A commission issued, and inquiry was thereupon made on Sunday after the feast of S. *Matthew* Apostle 28 Edw. I. (25 Sept. 1300). [*Harl. MS.* 2060, p. 60.]

[3] Mention is made in *Pipe Roll*, 24 *Hen.* III., under LANCASTR', of *Henry* de *Le*, who held of the king, between "Ribble" and "Merse," five carucates of land. *Thomas* de *Coupmanwra* was appointed Escheator of Lancashire, in the room of *John* de *Lee*, removed on account of age and infirmity (*Close Roll*, 39 *Hen.* III. *m.* 10).

in hoc Com' lib. in th'o. In th'o nich. Et Guncelino de Badelesmere justiciario Cestr' CCC. li. de medietate xv^me per breve Regis de quibus idem Guncelinus respondet infra. Et Egidio de Audenard' Reynero Magiar' et sociis suis mercatoribus de Luk' DC. lx. li. de quibus iidem Egid' et Bonr' Walteri merc' Luk' respondent in compoto suo de eadem xv^ma in Rotulo vij^o in R^o compotorum Et deb. C. j. s. x. d.

Guncelinus de Badelesmere justic' Cestr' debet CCC. li. receptis [*receptas*] de Nich'o de Le de xv^ma sicut supra continetur set respondet in compoto suo[1] de exitibus ville et Com' Cestr' in R^o viij^o in R^o compotorum.

[*Exch. L.T.R. Foreign Accounts, Roll* n° 1, Ro. 10.]

De quinta decima per Egidium de Audenar[d]' et Mercatores de Luk'

COMPOTUS Egidii de Audenard' nuper custodis Turris Lond' Baruncini Walteri pro se et Reinero Magiar' et aliis sociis suis mercatoribus de Luk' de xv^ma. regis de tempore quo iidem Egidius et mercatores fuerunt receptores ejusdem xv^e in diversis Comitatibus per breve Regis.[2]

IIDEM r. comp. de M^l. M^l. DCC. xli. li. iij. s. et iiij. d. receptis de eadem xv^a. in Com. Kanc' per manus Will'i de Valoines tunc vic. et collectoris ejusdem xv^e. in eodem Com. et per manus Ad' clerici ipsius vic. sicut continetur in quodam Rotulo de xv^a. quem predicti liberaverunt in th'o. Et de M^l. Dlxxvij. li. vij. s. et iiij. d. receptis per eundem Egid' de xv^a. in Com. Oxon' et Berk' per manus Henr' de Shottesbroke collectoris *etc.*

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Et de CC lxix. li. vj. s. et viij. d. de xv^a. in Com. Westmerl' per manus Mich' de Arcla tunc vic. et collectoris in eodem

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[1] See reference to this Account under SCUTAGE OF WALES (p. 162).

[2] See *Tower. Miscellaneous Rolls*, 19/17. "Rotulus de quintadecima mercatoribus de Luca deliberanda." [Second Report, App. ii. 54]

Com. sicut continetur ibidem. Et [de] DC. lx. li. receptis de xv.^{a} in Com. Lanc' per manus Henr' de Le tunc vic. et collectoris in eodem Com. sicut continetur ibidem. Et de CCCC. iiij^{xx}. li. receptis de xv^{a}. in Com. Cumberl' per manus Joh' de Swineburne tunc vic. et collectoris [in eodem Com.] sicut continetur ibidem. Et de DCCC. et xl. li. receptis de xv^{a}. in Com. Northumberl' per manus Joh' de Lythegreines tunc vic. et collectoris in eodem Com. sicut continetur ibidem. Et de *etc.*

* * * * *

Summa—xxxviij. mill. DCCCiiij^{xx}. li. viij. s. iiij. d. et ob. In th'ro nich. Et Joh'i de Solins et sociis suis mercatoribus de Caurte CCC. mar. per breve Regis Et *etc.* [enumerating payments and allowances, until]

Et quieti sunt.

[*Pipe Roll*, 7 *Edw.* I. Rotulo compotorum.]

Scutage[1] of Wales

for the army of the fifth year

assessed in the seventh year at forty shillings the fee.

(*)

19 Aug. 1274. 29 Aug. 1275.

After his coronation had been celebrated at Westminster abbey in the second year of his reign (19 Aug. 1274), *Edward*[2] required *Llewelyn* prince of Wales to come and do homage to himself, as superior lord. Not appearing within a year, *Llewelyn* was summoned to be at Chester in fifteen days after the feast of the Assumption B.V.M. in the third year (29 Aug. 1275), for the purpose of doing fealty to the king for his land in Wales. Having repeatedly failed to attend at various dates, for which he had again and again received warning, persuasion was brought to bear upon him through the archdeacon of *Canterbury*, who had been with the king's leave especially deputed in this behalf by the prelates

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[1] No documents found for Lancashire.

[2] These particulars are set out in detail on the *Close Roll*, 4 *Edw.* I. *m.* 1 dorso, from which they are printed in Rymer's *Foedera*, i. 535.

and magnates. Still he remained obstinate, affecting to agree, but putting forward fresh and fresh excuses. At length, in a great Council or Parliament, holden at Westminster on the 13th of October 1276, *Llewelyn*[1] signified by letter then presented, that he would come to Montgomery, or Whitchurch, and do homage to *Edward* upon certain conditions, the principal of which were:—that the king should confirm the treaty of peace made between *Henry* III. and himself, any deficiency therein contained to be supplied; and should give up to him, for his wife, *Eleanor*, daughter of the late *Simon de Montfort*. Upon due deliberation it was agreed, by the advice of the prelates, earls, barons and others, that the king should not listen to *Llewelyn*'s demands, or admit his excuses; but that all who held of the king *in capite* should be summoned to be at Worcester by Midsummer-day following (24 June 1277), ready for an expedition into Wales, unless meanwhile it should seem to *Edward* that greater haste was necessary, in which case reasonable notice should be given. Accordingly writs to that effect were issued within a short time; but, first, precautions were taken to guard the counties adjoining Wales which were liable to invasion, and had already suffered from hostilities. *William de Beauchamp* earl of *Warwick*, was assigned (16 Nov. 1276) captain to this end in Cheshire and Lancashire, and *Roger de Mortimer* in the counties of Salop, Stafford and Hereford; all the king's lieges being enjoined to assist these commanders by every means in their power, and to receive them in castles, towns and strong places, in the same way as if the king himself were present in person. Then by a series of writs, all bearing date 12 Dec. 1276, the great earls and all other military tenants of the crown were summoned to assemble at Worcester in the Octave of S. *John Baptist* following (1 July 1277), ready with horses and arms to go against *Llewelyn* and his accomplices in rebellion. The sheriffs throughout England, after a general statement informing them as to the causes of the expedition, were commanded upon sight of the king's letters to cause immediate proclamation to be made, that all who held of the king in chief, and were able to bear arms, should be at Worcester on the day fixed (1 July 1277), equipped in all points for the campaign in Wales. All who were unfit to bear arms were to send in their room efficient substitutes to perform the service due to the king. Like writs of summons were on the same date issued to the archbishops and other prelates, requiring them to have their service at Worcester in like manner.[2]

A.D. 1276. 13 Oct. 16 Nov. 12 Dec.

The Roll of Summons of the king's army in this expedition, and proffers of service made at Worcester, Carmarthen and Chester, from the first to the 15th of July 1277, have been printed at length by

A.D. 1277. 1-15 July

[1] This name is frequently written *Llewellyn*, but more accurately *Llewelyn*.

[2] All the writs are printed in *Parliamentary Writs*, i. 193-196.

Palgrave.[1] *Edward* thereupon entered Wales from Cheshire and, enlisting to his aid the country people in the Marches, drove *Llewelyn* into the mountainous regions of Snowdon, where, his supplies being cut off by the strait commands of *Edward*, he was soon reduced to sue for peace.

9 Nov. A treaty, concluded on 9 Nov. 1277, between *Llewelyn* on his own part, and *Robert* de *Tibetot* on the king's behalf, was ratified by *Edward* on the following day (10 Nov.).[2]

Scutage of 40s. Upon his return to London the king took a scutage of forty shillings the fee from those who held of himself in chief, and had not served personally, or by substitute, in his expedition.[3] This scutage of Wales is answered for CHESHIRE in the Pipe Roll.[4] First comes the Account of *Guncelin* de *Badlesmere* justiciar of *Cheshire*, for the issues of the town and county for one whole year [5] from 29 Sept. 1276 to 29 Sept. 1277, before he delivered the office of Chamberlain to his successor (*Leonio filio Leonii*), who proceeds to account a little lower[6] from Mich. 1277 to Mich. 1280, that is, for three whole years. Under the heading—

"Scutagium Wall[ie] anno v^to^ scuto assesso ad xl. s."

Guncelin accounts for seventy fees and the twentieth part of one fee, the equivalent in money being set down as £140 2s. : but (he proceeds) he ought not to be summoned, because it is contained in the king's writ, that the king's men of the county of Chester did their service in the army in Wales, and more than that service at the king's request[7]; and

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[1] *Parliamentary Writs*, i. 197-213. The only name (that I notice) specifically assigned to Lancashire is *Robert* de *Gredley* who acknowledged the service of two knights' fees for his barony.

[2] Carte's (Tho.) *General History of England*, ii. 187.

[3] See *Annales Monastici* (ed Luard), iv. 274 (Chronicon Tho. Wykes) ; and MADOX (Thomas)—*History of the Exchequer*, i. 645, where the king's writ, dated 16 Feb. 7th year (1278-9) and directed to the barons of the exchequer, is quoted at length from *Memoranda* (*L. T. R.*), *Communia*, *Easter 7 Edw.* I. Ro. 4 a.

[4] *Pipe Roll*, 8 *Edw.* I. Undecimus Rotulus compotorum.

[5] "a festo Sancti Michaelis anno v^to^ incipiente usque ad idem festum anno vj^to^ incipiente." Observe Sir *Harris Nicolas*'s participle used in the sense before explained (p. 151), and not as he would have us believe.

[6] "a festo Sancti Michaelis anno vj^to^ incipiente usque ad idem festum anno viij finiente." See the previous note.

[7] "quod homines Regis de comitatu Cestrie fecerunt Regi servicium suum Regi debitum in excercitu predicto et plus quam idem servicium ad rogatum Regis Et quod Barones de Scaccario eosdem homines de scutagio suo de feodis militum que habent infra comitatum predictum de predicto excercitu quietos esse fac[erent]."

[*Pipe Roll*, 8 *Edw.* I. (as above)]

that the barons of the exchequer should cause those men to be quit of their scutage for the knights' fees which they have within the said county.

This scutage was answered for other counties in the *Pipe Roll* of the previous year (7 *Edw.* I.). As to Lancashire, there is an entry in the *Pipe Roll*, 12 *Edw.* I., which shows under LANCASTR' that the Scutage of Wales, assessed in the seventh year, is not set down here, because *Edmund* the king's brother has the fees of the HONOUR of Lancaster by the gift of the late king *Henry* :—

"Scutagium Wallie assessum anno vij. non annotatur hic quia Edmundus frater Regis habet feoda Honoris Lanc' de dono Regis Henrici."

By charter dated 30 June in the 51st year of his reign (1267), *Henry* III. granted to *Edmund* his son *(inter alia)* the Honour, earldom, castle and town of Lancaster, and all demesne lands in the county, &c. To have and to hold the same with knights' fees and other things to him and the heirs of his body, with reversion (in default of issue) to the king or his heirs. Witness the inrolment :— 30 June 1267.

"*Rex* etc. *Sciatis nos dedisse* etc. *Edmundo filio nostro karissimo Honorem Com. et Castrum et villam de Lancastr' et omnia dominica nostra que sunt in Com. Lanc. cum vaccariis* etc. *Habenda et tenenda eidem Edmundo et heredibus suis de corpore suo legittime procreatis de nobis et heredibus nostris cum feodis militum* etc. *Dat' per manum nostram apud Sanctum Paulum London' tricesimo die Junii.*

[*Charter Roll*, 51 *Hen.* III. (n° 61) *m.* 4.]

Scutage[1] of Wales

of the tenth year

assessed at forty shillings the fee.

(*)

CERTAIN *Welsh* malefactors[2] assaulted Hawardyn castle by night and took prisoner *Roger* de *Clifford* with others, killing some of them, *A.D.* 1282.

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[1] No documents found for LANCASHIRE.

[2] The king's writ (*Parl. Writs*, i. 222) says merely "quidam malefactores Walenses ;" but, according to *Matthew* of *Westminster (Flores Historiarum*, ed. 1601, p. 410, n° 50) *Llewelyn* and *David* his brother were the leaders in this affair.

A.D. 1282. and burning the buildings. Others went to the castle of Flint, burning and slaying there in like manner, besides committing other homicides and enormities in those parts. *Edward*, hearing of these flagrant misdeeds, appointed (25 March 1282) captains for the pursuit and capture of these malefactors, and for the defence of the counties neighbouring to Wales, namely ; *Roger* de *Mortimer* in the counties of Salop, Worcester, Stafford, Hereford and Gloucester ; *Reginald* de *Grey* (justiciar of Cheshire) in the parts of Cheshire and Flint, to whom all sheriffs and others in the counties of Chester, Lancaster, Westmoreland, Derby and Flint were commanded to be aiding and assisting to the extent of their ability, in whatsoever should be made known to them on the king's behalf. *Robert* de *Tibetot* was made captain in West Wales, but shortly after (10 April) superseded in his command by *Gilbert* de *Clare* earl of *Gloucester* and *Hertford* (*Parl. Writs*, i. 124). These persons, so nominated as captains, were directed to send a report of what had been done by them to the king at Devizes ; where, in eight days after Easter (5 April), he intended to hold a council and to devise a due remedy for the occasion.

25 March

Writs of military summons were thereafter issued, bearing date 6 April 1282, and addressed to the great earls and other military tenants of the crown ; ordering them to muster at Worcester on Whitsunday following (17 May), in readiness to go with the king, and in his pay (*ad vadia nostra*), on an expedition against the said *Welsh* traitors and rebels. By later writs of 20 and 24 May, a further muster was appointed at Rhuddlan on Sunday the second of August, the morrow of the feast of S. *Peter ad vincula.* Subsequently (22 June) the king, understanding that there was in the kingdom a deficiency of war-horses, whereby many could not do the service that they otherwise would, enjoined all the sheriffs to cause public proclamation to be made, that all those who had not horses fit for arms might (if it seemed expedient to themselves) come before the day fixed, or send deputies, to fine with the king for their service.[1] The musters (except in the case of prelates and religious men) for those who owed service in the counties of Dorset, Somerset, Devon and Cornwall, were altered from Rhuddlan, on the second of August, to Carmarthen for the same day which was a Sunday. *William le Butiller* of Werenton (Warrington) was sent by the king into Lancashire to choose one thousand men for the army in Wales, and all bailiffs and others had it in command from the king (30 July) to assist him in such election.

6 April

17 May

2 Aug.

Two rolls of the king's service, summoned at Rhuddlan on the second of August 1282, followed by proffers made on the three days following (from 3 to 5 August), are printed from the originals (formerly in the

3-5 Aug.

[1] See the series of writs printed in *Parliamentary Writs*, i. 222-227.

Tower) by *Palgrave* in *Parliamentary Writs* (i. 228-243). By the second of these it is found, that *Edmund* the king's brother acknowledged (236a) his service to be done, by himself and his knights, for lands held of the king in the counties of Lancaster and Leicester; but, as it was not clear what precise quantity was due, *Edward* gave him respite until the first of November following, in order that in the meantime he might certify thereupon. And the king granted that, if more service were done than was actually owing, such excess should not hereafter be taken to his *(Edmund)* prejudice. Of others connected with this county, there are named *Margery* de *Ros* (230a, 238b) who fined for three parts of one fee; *John* de Bella Aqua (or *Bellew*), who took to wife one of the heirs of *Peter* de *Brus*, acknowledged (236b) the service of one fee; Sir *William* de *Lindeseye* (240b), also of one fee; and *John* de *Lenham* (242a), the eighth part of one fee.

Scutage was afterwards granted to those who had done service with the king's army in Wales, as recorded in a "Scutage-roll," from 13 to 18 *Edw.* I.,[1] entitled :—

"Scutagium a Rege Edwardo concessum hiis qui fecerunt servicia sua in excercitu ipsius Regis Wallie anno regni ejusdem Regis decimo."

Here are mentioned, as having had scutage allowed to them in the county (among others) of Lancaster, *Henry* de *Lacy*, earl of *Lincoln (m. 3)*, *Margaret* (here *Margareta*) or *Margery* de *Ros* (*m.* 2) who made fine as above stated (line 10), and *Edmund* the king's brother.

This "Second Scutage of Wales" is answered in the *Pipe Roll* of the fifteenth year for the several counties under the heading :—

"Secundum scutagium Wallie Regis hujus videlicet de anno x° scuto assesso ad xl. s. sicut continetur in Rotulo vij°."
[*Pipe Roll*, 15 *Edw.* I.]

For the reason given above (p. 163) there is nothing charged on Lancashire; and the explanation is repeated at a later date, in much the same words as before :—

"Scutagium Wallie assessum anno x. prout continetur in Rotulo xv. non annotatur hic quia Edmundus frater Regis habuit tunc feoda Honoris Lanc' de dono Regis Henrici."
[*Pipe Roll*, 35 *Edw.* I.]

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[1] *Miscellaneous Rolls* (Chancery), 11/10, or Bundle 11, n° 10 (Second Report, App. ii. 56). The first entry is dated 23 June 13th year (1285), and the latest, 20 Nov. 18th year (1289). See note 5, p. 143.

A Thirtieth[1] of Moveable Goods

(*)

A° 11° Edw. I. In a general assembly which met on the 20th of January 1282-3 at York, for counties North of Trent, the knights, freemen and commonalty of Lancashire granted to the king

20 Jan. 1282-3. a THIRTIETH of their moveable goods in aid of his expedition undertaken, and then in progress, against *Llewelyn*[2] prince of *Wales* and *David* his brother.

A.D. 1282. 19 June THE king wrote letters,[3] dated 19 June 1282, to the sheriffs, citizens, burgesses, &c. of all counties (except Cornwall), informing them ; that he had sent to them *John* de *Kirkeby* on a special mission from himself, with oral instructions to which they were to give full credence : and that the same *John* had been enjoined to report without delay in writing their answer and will in the matter. All abbots, priors and religious men in the several counties (save Cornwall, as before) received like commands on the same day, when also for the same purpose *Walter* de *Agmondesham* was associated with *John* de *Kirkeby*. That the object was to beg for aid

20 Dec. in money is shown by the tenor of subsequent letters addressed (20 Dec. 1282) to the same sheriffs and others, which plainly state that *John* de *Kirkeby* had been lately sent to divers parts of the kingdom, for begging and obtaining an aid to the king's use (*quem nuper misimus ad diversas partes regni nostri pro subsidio ad opus nostrum petendo et optinendo*).[4] Certain Chancery clerks (four in number) were now deputed by *John* de *Kirkeby* to see that the money forthcoming from such subsidy should be levied and fully paid ; and all persons concerned were commanded to assist these clerks in doing whatsoever they should be enjoined on the king's behalf.[4] About a month before this latter date, the king being

24 Nov. then (24 Nov. 1282) at Rhuddlan, two great assemblies had been summoned to meet : one at Northampton, for counties south of Trent ; the other, at York, for those north of Trent, which comprised the counties of York, Cumberland, Westmoreland, Northumberland, and LANCASTER. Whereas *Llewelyn*[2] son of *Griffin* and other Welshmen had so often in

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[1] No documents found for LANCASHIRE.

[2] This name is frequently written *Llewellyn*, but more accurately *Llewelyn*.

[3] Printed in *Parliamentary Writs*, i. 384 (10). [4] *Ibid.* i. 387 (18).

time past disturbed the peace of the kingdom, and still persevered in their wicked and rebellious course, *Edward* announced his resolution, by the aid of God—although the task seemed difficult—to finally destroy their power for further mischief, and by that means to secure the lasting tranquillity of his own realm. All persons fit for arms who had lands beyond twenty pounds in yearly value, and were not already with him in his Welsh expedition, were to assemble at one of the places above named, together with four knights of every shire, and two men from every city and borough; with full power, in every instance, to represent their respective commonalties, in order to hear and do what should be shown to them on the part of the king.[1] By letters, dated 20 January (1282-3), the clergy of the provinces of Canterbury (at Northampton) and York (at York) were convoked for the same end.[2]

A.D. 1282-3. 20 Jan.

By the knights, freemen and commonalty in the two assemblies at Northampton and at York, a Thirtieth was granted to the king of such moveable goods as they had on the 20th of January (1282-3); with the exception[3] of treasure, riding-horses, beds, robes (or gowns), vessels, utensils, geese, capons, hens, bread, wine, ale, wax, and all manner of viands, in the case of such as were not burgesses, or traders. All the goods and moveables of these last-named were to be taxed as before done when aid was granted to the king's ancestors. Those with the king who took his money were to contribute towards the Thirtieth. Nothing, however, was to be raised upon the proper goods of archbishops or bishops, but only upon the goods of their free tenants and villains. All citizens, burgesses, religious men and others, who had made an aid to the king before *John* de *Kirkeby*, were to have allowance in the Thirtieth for so much as they had paid, provided they could show due acquittance; but all their goods were to be valued and taxed, so nevertheless, that nothing should be taken from religious men save for temporality only.

The clergy must therefore have paid, like the laity, a thirtieth of temporal goods, in spite of the distinction drawn by *Walsingham*, who says (the passage is quoted by *Brady* in his *History*, ii. 96) :—"Hoc anno regi conceditur à populo in subsidium gwerræ suæ tricesima et à clero vicesima pars bonorum."[4] Now the king himself writes (15 April 1283) to the archbishop of *Canterbury* in these words :—"Et volumus et concedimus . . . quod presens subvencio *tricesime* de bonis tenencium vestrorum,[5]" *etc.;* and again, addressing the abbot of *Glastonbury*,

15 April 1283.

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[1] Printed in *Parliamentary Writs*, i. 10 (1). [2] *Ibid.* (2).

[3] The actual words in Norman-French are these :—"Forpris tresor chivauchure liz robes vessele ustiz owes chapuns gelines payn vyn cerveyse cirre e tute manere de viaundes prestes e purvues as prudes hommes del Reaume ke ne sunt burgees ne marchaunts." [*Parliamentary Writs*, i. 12 (10).]

[4] *Anglica Scripta* (Camden), 51, n. 40; Francofurti, 1603, folio.

[5] See the king's letter at length in *Parliamentary Writs*, i. 14 (16).

he mentions the *thirtieth* part as having been liberally granted.[1] After victory had been gained over *Llewelyn*, the expenses incurred in the expedition, and the necessity of keeping and assuring the safety of those parts of Wales, led to an application for a subsidy to the clergy, who[2] thereupon granted to *Edward* a twentieth part of their ecclesiastical goods for two years; the first term of payment to be on the feast of S. *Martin* (11 Nov.) 1284.

The king gave[3] (18 March 1282-3) to *Henry* de *Neuwerk* archdeacon of *Richmond*, and to *Thomas* de *Normanville*, the power of assigning at their discretion certain persons in the counties of York, Lancaster, Westmoreland, Cumberland and Northumberland, to assess and collect the Thirtieth granted on account of the Welsh expedition. The taxors and collectors so appointed for Lancashire were commanded by the king's writ,[4] dated at "Aberconewey in Snaudone" 4 June 1283, to have the money coming from a moiety of the said thirtieth at Chester in fifteen days after Midsummer-day (8 July), for delivery to the constable of the castle, where it was to remain until further order should be made. The other moiety was to be ready by the 13th of October following.

A.D. 1283. 8 July 13 Oct.

A very elaborate Accompt of the receipts and expenses connected with this expedition is sewn up with the *Pipe Roll* of the 19th year; from which it appears that the collectors of the Thirtieth in Lancashire were *Adam* de *Houton* and *Robert* de *Hoyl*', who answered for £401 18*s.* 10½*d.* From a statement of arrearages which are entered in another *Pipe Roll* (16 *Edw.* I.), it is found that this county contributed to the tax a further sum of £77 6*s.* 1*d.*; making £479 4*s.* 11½*d.* in all.

First, then, comes the Accompt by *William* of *Louth*, keeper of the king's wardrobe, of receipts and expenses in the expedition into Wales against *Llewelyn* (son of *Griffin*) then prince of *Wales* and *David* his brother, from Palm-sunday (22 March) 1281–2 up to 20 Nov. 1284, and including some part of the 13th year. The total receipt is set down at £102,621 0*s.* 4*d.*, and the total expenses (within the range of the accompt) at £90,248 10*s.* 0½*d.*; thus leaving a balance of £12,372 10*s.* 3½*d.* to be carried forward.[5] Attached to this Accompt are two narrow schedules:

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[1] Printed in *Parliamentary Writs*, i. 14 (16).

[2] "Qui precibus nostris favorabiliter annuens in hac parte vicesimam bonorum suorum ecclesiasticorum biennalem ad exoneracionem debitorum illorum concessit liberaliter et benigne." [*Memoranda*, *Q.R.* (n° 10) 12 & 13 *Edw.* I. *m.* 5 dorso]

[3] Printed in *Parliamentary Writs*, i. 14 (15).

[4] *Tower. Miscellaneous Rolls*, n° 19/18, *m.* 2 dorso. [Second Report, App. ii. 56]

[5] See further accompts of the same *William* continued on this roll, with a final reference to *Pipe Roll*, 21 *Edw.* I. "Rotulo compotorum."

1. giving the receipts of the Thirtieth from citizens, burgesses and religious men, amounting in the whole to £16,533 7*s.* 6*d.*; of which the mayor and citizens of *London* paid £4,000; mayor and burgesses of *Chester*, £127 6*s.* 8*d.*; abbot of *Chester*, £13 6*s.* 8*d.*; burgesses of *Bristol*, £653 10*s.* 0*d.*; and so forth; 2. the receipts from fines for military service, which reached the total of £2,959 2*s.* 2*d.*

Next, *Philip* de *Wilugby* accounts for arrearages of the Thirtieth received in all counties from Thursday 6 July 1284 to Wednesday 18 May 1289; the whole amount being £8,417 14s. 7*d.*

1. Receipts and expenses of the king's expedition into Wales, from 10 to 13 *Edw.* I. (1281/2–1284):—

COMPOTUS Magistri Will'i de Luda Custodis Garderobe Regis de receptis et misis in expedicione ejusdem Regis in partibus Wallie super Lewelinum filium Griffini tunc Principem Wallie et David fratrem ejus a die dominica in Ramis Palmarum anno x°. usque festum Sancti Edmundi Regis anno xiij°. incipiente et quadam parte anni xiij. per contrarotulum Thome Gunneys exhibitum per manus Walteri de Langeton' clerici sui post mortem suam.

Idem r. comp. de M¹.M¹.M¹. DC. li. rec. de thesauro Regis per idem tempus videlicet per manus fratris Ric'i Abbatis Westm' tunc Thes. et Camerar. M¹.M¹.M¹. D. li. et per manus Grimbaldi Pauncefote C. li. Et de *etc.*

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* * * * * *
* * * * *

Et de M¹. C. xxxiij. li. di. mar. rec. de Johanne de Lithegr' collectore tricesime in com. Ebor' De quibus per manus mercatorum Luk' CCCC. lxvj. li. j. mar. et resid' per manus W. de Luda. Et de CCCC.j. li. xviij. s. x. d. ob. rec. de Adam de Houton' et Roberto de Hoyl' collectoribus tricesime in com. Lanc. per manus W. de Perton. Et de M¹.M¹.M¹. CCCC. lxxj. li. xj. s. viij. d. ob. rec. de P. de la Mare coll. tricesime in diversis com. De quibus per manus mercatorum de Luk' M¹.M¹. CC. li. et resid' per manus W. de Luda. Et de *etc.*

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Summa tocius recepte—Cij. Mill. DC. xxj. li. iiij. d. In th'o nich' Et diversis Banerettis *etc.*

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Summa misarum—iiij^{xx}x. Mill. CC. xlviij. li. x. s. ob. Et deb. xij. M^{l}. CCC. lxxij. li. x. s. iij. d. ob. Et r. in comp. suo de eadem Garderoba de anno xvj.

[*Pipe Roll*, 19 *Edw.* I. Rotulo compotorum.]

2. Arrearages of the Thirtieth received in all counties, 12 to 17 *Edw.* I. (1284–1289) :—

COMPOTUS Ph'i de Wilugby pro se et Ran' de Dacre et Gregor' de Rokesle de receptis suis de arreragiis tricesime apud Turrim London' a die Jovis in Octabis Apostolorum Petri et Pauli anno xij^{o}. usque diem Mercurii in vigilia Ascencionis Domini anno xvij. per visum et testimonium et contrarotulum Hug' de Dunstaple et Nicholai de Ocham clerici Scaccarii de Recepta.

Idem r. comp. de DCC. iiij^{xx}. v. li. xvij. s. x. d. inventis in thesauro apud Turrim Lond' dicto die Jovis quo die dictus Nich's incepit esse visor et contrarotulator Recepte predicte sicut continetur in Rotulo de particulis quem predictus Hugo liberavit in thesauro Et de C.iiij^{xx}. xviij. li. xviij. s. ob. receptis de eisdem arreragiis in Com. Norh't'

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☞ Et de lxxvij. li. vj. s. j. d. receptis de eisdem de Com. Lancastr' per manus Ade de Houton' et sociorum suorum sicut continetur ibidem Et de *etc.*

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Summa—viij. M^{l}. CCCC. xvij. li. xiiij. s. vij. d. In th'o n' Et Reynero de Luk' et sociis suis mercatoribus de Luk' *etc.* [*Pipe Roll*, 16 *Edw.* I. Rotulo compotorum.]

A Fifteenth[1] of Moveable Goods

payable in moieties at Easter
and Michaelmas in the years 1291 and 1292.

(*)

A° 18° Edw. I. 15 July 1290.

In a Parliament which was summoned to meet at Westminster 15 July 1290, the archbishops, bishops, abbots, priors, earls, barons, knights and others granted to the king a FIFTEENTH part of their moveable goods, in consideration of the banishment of the *Jews* from England.

THE connection between the grant of a Fifteenth and the banishment of the *Jews* is asserted with entire confidence by the monastic annalists; and, although the king's writs relating to the tax are wholly silent on this point, their statement is completely verified by an incidental allusion to the exceptions allowed in a Thirtieth granted in the 34th year: that, in taxing goods, all those were to be excepted which were excepted in the Fifteenth granted to the king in the 18th year of his reign "on account of the banishment of the Jews."[2]

The edict promulgated on this occasion by *Edward* has not been recorded; or, if recorded, has hitherto escaped notice.[3] That such a decree was issued there can be no doubt whatever; and the date of its publication, no less than its tenor, may be inferred from a vivid description penned by the monk who wrote the *Annals of Oseney*[4] for the year 1290. Another thing (he says) happened this year, memorable in every way; an event not to be silently passed over, but deserving rather to be registered for everlasting remembrance. The king, about the feast of the Nativity of S. *John* Baptist in the summer now last past[5] (24 June 1290), after consultation with his magnates in council (as may be believed with certainty), caused a proclamation to be made throughout England: That the *Jews*, who had so impoverished the *Catholic* population by

[1] No documents found for LANCASHIRE.

[2] "Et quod in taxando bona predicta excipiantur omnia que in taxacione *quintedecime* a communitate regni domino regi anno regni sui xviij° *concesse propter exilium Judeorum* fuerunt excepta." [*Memoranda* (*L.T.R.*), 33 & 34 *Edw.* I. *Recorda*, Ro. 43; quoted by *Brady* in his *Introduction to the Old English History*, App. 30.]

[3] The *Memoranda* of the Exchequer (both *Q.R.* and *L.T.R.*) in 17 & 18, and in 18 & 19 *Edw.* I., have been searched in vain for any instrument of the kind.

[4] See the passage in *Annales Monastici* (ed. Luard), iv. 326.

[5] Observe that the story was written at the end of the year; or, at furthest, in the winter season immediately succeeding the event narrated.

A.D. 1290. lending money at usury, that some had been driven to sell their lands and possessions, and to beg their bread from door to door; notorious enemies of the Cross and blasphemers of the *Christian* faith, dwelling here and there in certain cities and towns, of whatsoever age, sex or condition, should quit the bounds of his kingdom not later than the feast of 1 Nov. *All Saints* next to come (1st Nov. 1290), and be thenceforward condemned to perpetual exile, all hope of return being abandoned. Any of them found in England after the term fixed should be hanged or beheaded. All, therefore, being affrighted by the terrible threats held out in the edict—no exception being made of persons—betook themselves by various sea-routes to foreign countries, carrying such little packs as they could get together. Some, as common report said, who had embarked in vessels from the Cinque Ports, when arrived in mid-channel, after being robbed of their money, and most inhumanly massacred by the ships' crews, were thrown into the sea; others, cast forth upon a sand-bank which had been left uncovered by the receding tide, were drowned by the returning flood.

Yet it was to the bailiffs, barons and mariners of these very Cinque 27 July Ports, that the king had written on the 27th of July[1] last (1290), expressly willing that no injury should be done, in their property or persons, to the *Jews* arriving with their wives, children and chattels, at any of these ports within the term prescribed, but that every step should be taken to ensure for them a safe and speedy passage. In the matter of freight, poor *Jews* were to be spared, and others made to pay according to their means, but not immoderately; lest any one by exorbitant and unreasonable exactions should have his passage hindered or delayed. And all this was enjoined upon each of them, severally, under pain of heavy forfeiture in case the *Jews* should be in any way molested or aggrieved, or made to suffer any kind of loss. The result has been seen; and the monkish writer goes on to say, that the king condemned very many of those robbers and murderers to be hanged.[2]

Rymer must have overlooked, if he did not intentionally omit, an earlier writ,[3] bearing date 18 July, by which the king ordered the sheriffs

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[1] See the king's letter, printed in Rymer's *Fœdera*, i. 736.

[2] Sir *Edward Coke* in *The Second Part of the Institutes* (ed. 1669), 508, tells a story of the *Jews* inveigled on the sands, which he describes as lying "towards the mouth of the River beyond Quinborough."

[3] It had been printed in *A short Demurrer to the Jews' long discontinued barred Remitter into England* (1st edit. p. 47; 2nd edit. p. 60); and also in *The Second Part of a short Demurrer*, &c., 112. In these works *Prynne* claims to have "presented the world with an exact chronological history of the *English* Jews and their affairs, from their very "first arrival in *England* under King *William* the *Conqueror*, till their "universal final banishment and expulsion thence, in the 18 year of "King *Edward the first*." [*The Second Part*, &c. p. 1.]

of several counties to have public proclamation made; that no one, within the time named by himself for the *Jews* to leave England, should injure or molest them; and when in due course these wished to direct their steps toward London, in order to take ship for parts beyond sea, safe conduct was to be furnished in each county: provided that, before their departure, they restored the pledges of *Christians* to those entitled thereto, if the last-named wished to acquit the same. The following extract shows the tenor of the king's commands :— *A.D.* 1290.

De Judeis regnum Anglie exeuntibus

Rex vic. Glouc' Cum Judeis regni nostri universis certum tempus prefixerimus a regno illo transfretandi Nolentes quod ipsi per ministros nostros aut alios quoscumque aliter quam fieri consuevit indebite pertractentur tibi precipimus quod per totam ballivam tuam publice proclamari et firmiter inhiberi facias ne quis eis infra tempus predictum injuriam molestiam dampnum inferat seu gravamen. Et cum contingat ipsos cum catallis suis que eis concessimus versus partes London' causa transfretacionis sue dirigere gressus suos salvum et securum conductum eis habere facias sumptibus eorundem Proviso quod Judei predicti ante recessum suum vadia Christianorum que penes se habent illis quorum fuerint si ea acquietare voluerint restituant ut tenentur. Teste rege apud Westm' xviij. die Julii. 18 July

Consimiles littere diriguntur vicecomitibus Essex' Ebor' North't' Linc'. Teste ut supra. Item vic. Heref' Suth't.'

[*Close Roll*, 18 *Edw.* I. (n° 112) *m.* 6.]

As the time drew near for this exodus of the *Jews*, the king issued writs (4 Oct. 1290) to the sheriffs in various counties,[1] commanding each to send to Westminster the chests[2] (*archas*), both new and old, of 4 Oct.

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[1] *Memoranda* (*L.T.R.*), 18 & 19 *Edw.* I. (n° 19) Ro. 34.

[2] It was only in places in which *archæ*, or chests, were kept that the *Jews*—unless by especial licence granted in a particular case—were allowed to dwell; as provided by a general council held in the third year of the reign (1275), and referred to (24 May 1277) in these words:—"*Cum nuper de communi consilio regni nostri provideri fecerimus quod universi et singuli Judei regni nostri manerent in civitatibus et burgis nostris propriis in quibus arche cyrographar* [iorum] *Judeorum nostrorum esse consueverant Et quod*," etc. [*Patent Roll*, 5 *Edward* I. *m.* 13 dorso; printed in Rymer's *Fœdera* i. 543] This was a command to inquire concerning the *Jews'* behaviour (*De inquisicione facienda de gestu Judeorum*) under the "Statutes of Jewry," published in 1275 (note 2, p. 157). The writ exactly recites (but in *Latin*) the terms of No. 5 (*Statutes of the Realm*, i. 221):—"E ke tus les Geus seient menauns en les citez e en les burgs propres le Roy ou les Whuches Cirographes de Geuerie soleient estre; e ke checun Geu" *etc.* As to the parliament, in which these statutes (with others) were passed, see *Flores Historiarum per Matth. Westm.* &c. (1570, folio) p. 363.

A.D. 1290. chirographers of the *Jews* in such a city or town,[1] so as to have them there in the quinzaine of S. *Martin* (25 Nov.), for delivery to the treasure

25 Nov. and barons of the exchequer. The sheriff to inquire in person what houses and tenements the *Jews* of [*nomen*] whom with others of the race in England the king lately commanded to leave his kingdom (*quos Rex nuper simul cum aliis Judeis Anglie regnum suum exire precepit*), had in his bailiwick, and whether held in fee, or for a term, their yearly value &c. All such houses and tenements to be taken into the king's hand and let for his best advantage. The barons then to be informed what has been done; and in the meantime public proclamation to be made that all those who have any goods or chattels of *Jews*, deposited without name or other title, shall have them at Westminster at the day aforesaid to be delivered to the treasurer and barons for the king's use, on pain of losing life and limb and also all they hold in the kingdom, if hereafter they chance to be convicted of concealment.

All the sheriffs are noted as having returned the writs with an extent or valuation of the houses, &c., at the day prefixed.[2] Many of the writs yet remain, accompanied by the inquisitions thereupon taken,[3] from which some interesting particulars may be gleaned. For example. By a writ

8 Sept. (*m.* 22), dated at Torpel 8th Sept. 1290 and addressed to the sheriff of *Lincolnshire*, it transpires that all the *Jews* in his bailiwick—excluding those in the city of Lincoln—had anticipated the day fixed, and had betaken themselves abroad without warning.[4] The inquisition shows a very few houses thus vacated, and in Stamford (here Staunford) only. The return for the city of Lincoln is found at *m.* 27. Here the bishop of *Bath* and *Wells*, writing from S. *Katherine*'s priory near Lincoln to the treasurer,[5] *William* de Marchia, makes excuse for the two chirographers sending a messenger, instead of coming in person, with the muniments required, on the ground that they are fully occupied at

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[1] The cities and towns here mentioned are:—

Bedford	Devizes	Norwich	Winchester
Bristol	Exeter	Nottingham	York
Cambridge	Hereford	Oxford	
Canterbury	London	Stamford	
Colchester	Northampton	Wilton	

In order to make a complete list, these should be added, namely:

Berkhampstead	Lincoln	Sudbury	Warwick
Gloucester	Marlborough	Wallingford	Worcester
Huntingdon			

[2] *Memoranda* (*L.T.R.*), 18 & 19 *Edw.* I. (nº. 19) Ro. 34.

[3] *Exchequer*, *Q.R. Ancient Miscellanea* (Jews), 557/9.

[4] "et Judei in balliva tua tempore prefixonis predicte facte commorantes citra diem illum se ad partes transmarinas subito transtulerunt."

[5] All the writs, issued in the king's name, have the *teste* of "W. de Marchia" at Westminster, 4 Oct. 18th year (1290).

present about the collection of the king's Fifteenth.[1] As the letter is dated the 21st of November (*xi. kal. Decembr'*), the fact is gained that the collection of the tax was then in progress.

The king assigned[2] (27 Dec. 1290) his clerk, *Hugh* de *Kendale*, with whom were associated certain others, to appraise and sell all houses, rents and tenements of *Jews* in the city of London, and throughout England; and subsequently by letters patent, dated at Ashridge[3] 18 January 1290-1, made known this appointment, and commanded all his subjects to render assistance when called upon, undertaking to ratify by charter the possession of such houses, lands and tenements to every purchaser.

Hugh de *Kendale* accordingly rendered an account[4] of money produced by such sales. The total receipt throughout the country (up to that time) was £1850 13*s.* 4*d.*; of which £956 6*s.* 8*d.* came from the city of London, £173 from Lincoln, and so forth, in detail:—but from Bristol and Devizes nothing, because no buyers had been found.

The places here named are these:—

Bedford	Devizes	Northampton	Stamford
Bristol	Hereford	Norwich	Sudbury
Cambridge	Ipswich	Nottingham	Winchester
Canterbury	Lincoln	Oxford	York
Colchester	London		

The amount paid into the Treasury was £677 19*s.* 4*d.*, leaving due £1172 14*s.*; out of which credit was taken for sundry payments, some of which are interesting enough to justify a passing note. Thus, forty marks were paid to Master *William Torel*,[5] sculptor of the late king's effigy, in part satisfaction of what was due to him for the same; £64 13*s.* 4*d.* to *John* of *Bristol*, the king's glazier, for making glass windows in the great church at Westminster; and—beside money spent in repairing the *Jews'* houses before they were sold—a sum of 22 shillings

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[1] "Et quia Ric's de Beufow et Joh's Cotti cirographarii de Judaismo Lincoln' circa quintamdecimam domino regi colligendam adeo occupantur ac vexantur in presenti quod absque manifesto eorum gravamine et domini regis incommoditate personalem accessum ad vos habere nequeunt ista vice specialitatem vestram rogamus .... in Domino quatinus nuncium eorundem cartas et munimenta predicti Judaismi Lincoln' vobis deferentem benigne admittere velitis eorumque absenciam per dicti nuncii sui presenciam excusatam habere." (*m.* 24)

[2] *Patent Roll*, 19 *Edw.* I. (nº 109) *m.* 25.

[3] *Ibid. m.* 21. "De domibus et redditibus Judeorum vendendis" on the margin.

[4] *Exchequer, Q.R. Ancient Miscellanea* (Jews), 557/12. This account is inrolled in the *Pipe Roll*, 22 *Edw.* I.

[5] *Historical Memorials of Westminster Abbey* (Fifth edition, 1882, 8vo.), 114, by A. P. STANLEY, D.D.

to Master *Thomas* the king's carpenter, for making a scaffold for the late king *Henry*'s tomb.[1]

Although constant allusion is made by the king to a fixed day, before which the *Jews* were to quit England, no record has yet been found that gives the precise date. Upon the evidence already adduced it is clear that it must have been after the fourth of October, and some time before the twenty-fifth of November, on which latter day the sheriffs were required to make, and did make, their returns of the houses, &c., which the *Jews* held in the several cities and towns (as before seen, p. 174). By a memorandum in the *Red Book of the Exchequer* (f. 252 d) it is recorded that the *Jews* resident in London left in a body for the sea-coast on Tuesday, the morrow of S. Denis, or the tenth of October, 1290. The presumption, then, is in favour of the term having been the feast of *All Saints*, or first of November,[2] as stated by the annalists and others.

DE JUDEIS[3] RECEDENTIBUS AB ANGLIA

De recessu Judeorum ab Anglia

Memorandum quod die Martis in crastino Sancti Dionisii anno regni Regis Edwardi filii Regis Henrici decimo octavo et anno Domini M° CC° nonogesimo recesserunt omnes Judei de London' versus mare ad transfretandum sub proteccione domini Regis predicti.

[*Red Book of the Exchequer, fo.* 252 dorso.]

The prelates, barons and commonalty of the realm having granted a FIFTEENTH of all their moveable goods—subject to such exceptions as

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[1] "In thesauro DC.lxxvij. li. xix. s. iiij. den. per ij. tallias. Et debet M[l]C.lxxij. li. xiiij. s. De quibus solut' Magistro Will'o Torel factori imaginis Regis Henrici in partem solucionis facture imaginis predicte xl. mar. sicut idem recognovit in Memor. termino Pasche anno xxj°. Et Joh'i de Bristoll' vitriario Regis ad fenestras vitreas faciendas ad ecclesiam Westm'. Lxiiij. li. j. mar. sicut idem Joh'es recognovit sicut continetur in Memor. termino Pasche anno xxj°. . . . . Et in factura scaphaldi facti pro tumba Regis Henrici per manus Magistri Thome carpentarii Regis. xxij. s." See *Exch. Q.R. Ancient Miscellanea*, 557/12, for the original Account, at the foot of which is this note: "Talis rotulus traditur Henr' de Not' ad scribendum in magno Rotulo." Accordingly it is found on a membrane—with other accounts—attached to the *Pipe Roll*, 22 *Edw.* I.

[2] So *Matthew* of *Westminster*—"ab Anglia cedere circa festum Omnium Sanctorum quod eis pro termino ponebatur." [*Flores Historiarum per Matth. Westmon.* &c. (ed. 1601, fol.) 414]

[3] The reader who would care to know more of the matter may consult the work, entitled ANGLIA JUDAICA: *or the History and Antiquities of the Jews in England*, by *D'blossiers Tovey*, LL.D. (Oxford, 1738, 4to.) who deals at length with the expulsion of the *Jews*, and their re-establishment in England under *Cromwell*.

had been before usual on like occasions—the king, by letters patent, dated at Kyngesclipstone 22 September in the 18th year of his reign (1290), assigned sundry persons in the several counties to assess, tax, levy and collect the subsidy so granted. Of these, *John Byroun* and *Robert* de *Hoylaunde* were nominated chief taxors for Lancashire; and they were to have the assistance of a clerk, for whose election they were to provide, and for whom they were to be responsible when chosen. The Fifteenth was to be levied and collected within the space of two years next ensuing, and paid into the exchequer at certain terms; one moiety, namely, at the feasts of Easter and Saint Michael then coming (22 April and 29 Sept. 1291); the other moiety on the same feast-days in the year following (6 April and 29 Sept. 1292).

Form[1] of assessing and collecting the Fifteenth

The knights (chief assessors) were to assemble before them, from every hundred of the county, the best and most capable persons, out of whom there were to be elected twelve, who should have the knowledge and ability requisite to assess and tax the goods of every one, wherever they might be, whether in the field, house or elsewhere on Michaelmas-day then coming (1290), or previously since the first of August. The twelve, after being sworn on the Gospels in presence of the chief taxors, were to take four lawful men and the reeve of every town within their hundred, and go with them from house to house, in order to view and assess every one's goods, inquiring in each instance whether any thing had been sold or otherwise removed, between the before-mentioned first of August and Michaelmas-day. In either case such goods, like others, were to be taxed according to their true value. The two knights assessors with their clerk were then to follow from place to place, and to ascertain whether the goods had been well and lawfully taxed to the king's use by the twelve. If any thing had been concealed or assessed by these below its proper value through gift or favour, then they were to increase the amount according to their discretion, and to inform the treasurer and barons of the exchequer as to the names of those who had thus trespassed against their oath.

The taxation of the four men and the reeve was to be made by the twelve, and these in turn were to have their goods taxed by the knights

[1] *Exchequer, Q.R. Memoranda*, 18-19 *Edward* I. (n° 16), Ro. 5. Sir *Francis Palgrave* must have overlooked this reference, supplied by *Brady* in his *History*, ii. 96 D; or he would not have been reduced to printing from a *Harleian* manuscript (645) the king's letters patent and the oath of the taxors only (*Parl. Writs*, i. 24), without the form of assessment and collection, which had been passed over in the Register of Bury St. Edmunds, the manuscript quoted by him. This form yet remains upon record under the title, "De forma quintedecime assidende et colligende," among *Memoranda* (as above stated), from which source the particulars supplied in the text have been derived.

assessors, aided by good and lawful men to be elected, who should be of no affinity to any of the twelve. The taxation of the two knights and their clerk was reserved to the treasurer and barons of the exchequer. Prelates, clerks and religious men were to have their temporal goods taxed.

In the assessment towards the Fifteenth were excepted the following:—armour, riding-horses, jewels and robes for knights, gentlemen and their wives; also their vessels of gold, silver and brass.[1] These reservations were not to be made in cities, boroughs, or other towns, as to the goods of traders; but whatever they had was to be liable to the tax without exception.

Afterwards some modifications were made, and the king granted that the goods which every one had in counties on the morrow[2] of Michaelmas-day in the 18th year (30 Sept. 1290)—instead of the period between the first of August and the 29th of September—should be taxed. As certain things had been excepted in counties, it was now (23 Feb. 1290-1) ordered, that some exceptions should also be made in cities, boroughs and market-towns, namely; one gown (*roba*) for the man, another for his wife, and one bed for the two; one ring, one clasp (*firmaculo*—French, *fermail*) of silver or gold, and one girdle of silk—if they are in the habit of wearing such ring, clasp and girdle every day; and except one cup of silver, or of mazer[3] (*murra*), out of which they drink. All these were not to be taxed; and the taxors were further commanded to levy a Fifteenth on such goods as were had in cities and towns on the morrow of Michaelmas-day, and not at the time previously fixed. If any thing had been already levied in the name of a Fifteenth[4] from such goods as

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[1] "E fet asaver ke en ceste taxacioun serrunt forspris armure, mountures, jueus, e robes, as chevalers e as gentiz homes, e a lur femmes; e lur vessele de or, e dargent, e de areinn. E ceste forsprise ne deit tenir liu en citez, en vile de burgs, ne en autres viles, des biens as marchaunz, mes kauntke il unt deit estre taxe saunz rien forsprendre."

[2] After reciting the levy as above ordered, the king goes on:—"postea tamen graciose concessimus quod bona illa mobilia que singuli habuerunt in crastino Sancti Michaelis proximo preterito taxentur." [*Memoranda* (*L.T.R.*), 18 & 19 *Edw.* I. Ro. 41.]

[3] See the clause of exceptions in the form of taxing the Eighth and Fifth granted to the king (but afterwards revoked):—"e un ceint de saye quil usent tutz les jurz e ausint un hanap dargent ou de *mazre* dount il beivent" (*Parliamentary Writs*, i. 55); also *Notes and Queries*, 7th S. iii. 351, under "Manubrium de murro"; and the instances cited below, pp. 182, 188, 192, note 4.

[4] *Exch. L.T.R. Memoranda*, 18 & 19 *Edw.* I. (n° 19), Ro. 41. See also the same, Ro. 38 dorso, for an order made 10 Dec. 1290, as to payments of one moiety of a fourth part on the morrow of Pur. B. V. M. (3 Feb. 1290-1), and of another moiety at Easter following (22 April 1291).

were now to be excepted, the amount was to be restored to every one from whom it had been taken.

The Account of the Fifteenth collected in the several counties is found set out at the end of the *Pipe Roll*, 23 *Edw.* I.; from which the items printed below are extracted. That relating to LANCASHIRE may be summarized in this form :—

			£.	s.	d.
The FIFTEENTH collected in Lancashire			1,166	9	1½
Paid into Treasury	£1,068	10 0			
Expenses of collection	13	6 8			
			1,081	16	8
Balance due			£84	12	5½

COMPOTUS quintedecimeRegi anno xviij° perArchiepiscopos Episcopos Abbates Priores Comites Barones et omnes alios de Regno de omnibus bonis suis mobilibus concesse et per diversos collectores in diversis Comitatibus eodem anno xviij° assesse collecte et levate sicut patet infra.

Compotus Rogeri le Rous et Ric'i le Bret' collectorum quintedecime Regi concesse anno xviij° in Com. Hereford'. Hereford

Iidem reddunt compotum de M^l.DCCCC.iiij^xx.v. li. x. s. vj. d. de quintadecima bonorum mobilium Baronum et omnium aliorum in Comitatu predicto Hereford' *etc.*

Compotus Johannis Byroun et Roberti de Hoylaunde collectorum quintedecime Regi concesse anno xviij in Comitatu Lancastr'. Lanc'

Iidem reddunt comp. de M^l.Clxvj. li. ix. s. j. d. ob. de quintadecima bonorum mobilium hominum in Com. predicto sicut continetur in Rotulo de particulis quem liberaverunt in Th'o exceptis bonis mobilibus Edm' Comitis Lancastr' fratris Regis et Henr' de Lacy Comitis Lincoln' qui non taxantur per brevia Regis et exceptis bonis mobilibus Abbatum Monachorum et Monialium ordinis Cist' qui non taxantur quia fecerunt finem sicut superius continetur in Hereford' [*i.e.* quia fecerunt finem pro quintadecima sua sicut continetur in Rotulo de finibus diversorum pro quintadecima]. In Th'o M^l.lxviij. li. x. s. per v. Tallias. Et eisdem taxatoribus et collectoribus pro expensis quas fecerunt circa taxacionem et collectionem quintedecime predicte et pro cariagio denar'

ejusdem de Com. predicto usque London xiij. li. vj. s. viij. d. Et debent iiij^{xx}.iiij. li. xij. s. v. d. ob. Sed respondent in Lanc' in Rotulo sequenti.

[*Pipe Roll*, 23 *Edw.* I. Rotulo compotorum.]

COMPARATIVE TABLE OF RECEIPTS OF THE FIFTEENTH

County				TOTAL		
				£.	s.	d.
1. NORTH OF TRENT						
Cumberland				1,781	16	8½
LANCASTER				1,166	9	1½
Northumberland				3,364	15	0¾
Westmoreland				743	4	9¾
York: N. Riding	£3,698	10	8			
E. Riding	2,769	2	9			
W. Riding	3,031	4	0½			
				9,498	17	5½
2. SOUTH OF TRENT						
Cornwall				521	18	5½
Essex				4,370	19	8
Hereford				1,985	10	6
Middlesex				1,148	9	0
Norfolk				9,782	14	6
LONDON City				2,860	13	8

Tenth[1] and Sixth of Moveable Goods

payable in moieties

before 2 Feb. 1294–5 and 22 May 1295.

(*)

A° 22° Edw. I. 12 Nov. 1294.

In the Parliament, which met according to summons at Westminster on the 12th of November 1294, there was granted to the king, in aid of his war with France, on the very first day of assembly, a TENTH of moveable goods in the several counties; and subsequently, out of Parliament, the citizens, burgesses and tenants of royal demesnes granted for the same purpose a SIXTH of their moveable goods.

[1] No documents found for LANCASHIRE.

HAVING issued writs,[1] dated 8 Oct. 1294, to the several sheriffs for the election in each county of two knights of the shire, empowered to act for themselves and the whole commonalty, the king on the following day[1] (9 Oct.) commanded that two others should be added to the number, and that all four should be at Westminster on the morrow of S. *Martin* following (12 Nov.), to consult and agree to what the earls, barons and magnates should propose. The representatives of the counties met accordingly as commanded; and on the very first day[2] granted to the king, in aid of his war with France, a tenth part of all their moveable goods, with the exception of such as were excepted in the Fifteenth last granted (in 1290). *A. D.* 1294.

The form for taxing and levying this Tenth is found in *Memoranda* (*Q.R.*), 23 *Edw.* I. Ro. 72, under the heading :—

"Decima bonorum temporalium Regi concessa in Anglia in crastino Sancti Martini anno regni Regis E. xxij° finiente incipiente[3] xxiij°."

The procedure is similar to that before used for the Fifteenth (p. 177). The twelve best and most capable persons elected in every hundred are to take four lawful men and the reeve in every town, and go with them from house to house, for the purpose of viewing and assessing goods; while inquiring at the same time if anything has been sold or eloigned since Michaelmas-day last (29 Sept. 1294). In either case, the same to be taxed. The levy is ordered to be made upon every one's goods[4] wherever they might have been—in the field, or house, or elsewhere—on the said Michaelmas-day. The clergy[5] who had not given, or were not to give, to the king a moiety of their goods were included in the taxation, but only for their temporal possessions; and the goods excepted generally were the same as those before (p. 178)

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[1] See *Parliamentary Writs*, i. 26 (3), 27 (4).

[2] See the statement made at the beginning of the Account cited below (p. 185).

[3] Observe once more the irrepressible participles, which (in spite of Sir *Harris Nicolas*) do not make the 23rd year of this reign begin on the *twelfth* of November 1294 (p. 149).

[4] "tous les biens de chequin queu part qe il fussent aussi bien en chaump come en mesoun ou aillours le jour de la seynt Michel proschein passe."

[5] Special exemption was granted to prelates, religious men and other clerks, who gave a moiety of their goods in the present year [*Close Roll*, 23 *Edw.* I. *m.* 11 dorso]. See the reference above (p. 152, n° 10) to the account of the collector, assigned by the king in the diocese of Norwich by writ dated 30 September in the 22nd year (1294). Those who were appointed for the collection of this moiety in other dioceses are named in *Memoranda (Q.R.)*, 23 *Edw.* I. Ro. 68.

particularly noted in the levy of the Fifteenth. Witness the following extract :—

"E ceste taxacion soit fete aussi bien de biens as clerks come des lays les queus biens ne sount mye annex a leur Eglise e des queus il ne dounent au Roi la Meyte E des vileins as prelaz gent de religion e autres clerks qi sunt de lur Eglise rien ne soyt taxe ne leve E fet a saver qe en ceste taxacion serrunt forpris tresor[1] armure e mounture jueaus e robes as chivalers e gentiz hoummes e a lur femmes e lur vessele dor e de argent e de arreym E en Citez Burgs e viles Marchaundes serrount forpris une robe pur le houme e une autre pur sa femme un lyt pur ambedeus e un anel e un fermail de or ou de argent e un ceynt de seye qe il usent touz les jours e ensement un hanap de argent ou de mazre dunt il beyvent." [*Memoranda* (*Q.R.*), 23 *Edw.* I. Ro. 72.]

Two knights in each county, with a clerk to be chosen by them, were assigned to assess and tax, levy and collect the Tenth, and to bring the money so raised to the king's exchequer at Westminster, paying the amount in moieties at two terms, namely ; one moiety before (*citra*) the feast of the Purification next to come (2 Feb. 1294-5) ; and the other, before (*citra*) the feast of Pentecost following (22 May 1295). Those named for LANCASHIRE in the king's writ,[2] dated 12 Nov. 1294, were *Matthew* de *Redeman* and *John* de Cornubia (or of *Cornwall*), who duly made the return ; as seen below (p. 186). On the 20th of the same month the several sheriffs in England were commanded to diligently assist, and to cause their bailiffs to assist, the knights and their clerks in the levy and collection of the Tenth, whenever instructed by the taxors, or required by them on the king's behalf.

The citizens of London having spontaneously granted to the king a SIXTH of their moveable goods, *Edward*, citing their example, appointed (21 Nov. 1294) certain commissioners in conjunction with the sheriffs, to request a Sixth likewise from cities and towns of his own demesnes. *John* de *Litegreines* was nominated for Lancashire, as well as for the counties of York, Northumberland, Cumberland and Westmoreland. The letters patent issued on this occasion are needed to complete the series printed by *Palgrave*,[2] and for this reason they may find a place here :—

De sexta parte Regi concessa in Lond' — *Rex dilectis et fidelibus suis custodi vicecomitibus aldremannis et toti communitati civitatis sue London salutem Cum vos in forma in qua nuper nobis quintamdecimam concesseratis sextam partem bonorum et mobilium vestrorum in subsidium guerre nostre nobis concesseritis*

[1] By "treasure" is meant treasure in money (*tresor en deniers*) which in the taxation of the Twelfth and Eighth was ordered to be included (p. 192). As to *mazre* (line 12), see note 3, p. 178.

[2] *Patent Roll*, 22 *Edw.* I. *m.* 2 ; printed in *Parliamentary Writs*, i. 27.

liberaliter et libenter Nos ut illa sexta pars ad minus dampnum et gravamen vestri et singulorum civitatis ejusdem levetur et colligatur providere volentes assignavimus dilectos et fideles nostros Johannem de Banquelle Thom' le Romeyn Hamonem Box Will'm de Betonia et Gilbertum de Marchia una cum dilecto clerico nostro Magistro Will'o de Wymundham quem ad hoc duximus assignandum ad dictam sextam partem infra civitatem predictam et extra infra totum procinctum ejusdem civitatis quatenus ad civitatem ipsam pertinet assidendam et taxandam levandam et colligendam et ad scaccarium nostrum portandam et ibidem solvendam ad terminos infrascriptos videlicet unam medietatem citra festum Purificacionis beate Marie proximo futuro [futurum] *et aliam medietatem citra festum Pentecostes proximo sequens Et ideo vobis mandamus* etc.[1] *Teste ven' patre etc. xxvj. die Novembris anno xxiij°.* 26 Nov. 1294.

De diversis assignatis ad petend' consimilem sextam in dominicis villis Regis in diversis comitatibus

Rex dilecto et fideli suo Roberto de Ratforde salutem Cum cives et probi homines nostri London' sextam partem bonorum suorum mobilium nobis in subsidium guerre nostre gratanter concesserint ut aliis qui sunt de dominicis villis nostris exemplum prebeant ad consimile subsidium faciendum assignavimus vos ad petendam hujusmodi sextam partem in singulis dominicis civitatibus et aliis villis nostris in comitatibus Kanc' Sussex' Surr' et Suthf' secundum taxacionem decime jam nobis in regno nostro concesse Et ideo vobis mandamus quod assumptis vobiscum vicecomitibus locorum ad singulas dominicas civitates et alias villas nostras personaliter accedatis et homines earundem civitatum et villarum ad concedendum et prestandum nobis predictam sextam partem juxta taxacionem predictam diligenter ex parte nostra requiratis et effaciter inducatis modis quibus videbitis magis expedire Et quid inde feceritis nobis aut thesaurario et baronibus nostris de scaccario sine dilacione constare faciatis. In cujus rei testimonium has litteras nostras fieri fecimus patentes. T. ven' patre etc. xxj. die Novembris anno xxiij°. 21 Nov. 1294.

Per consimiles litteras assignantur infrascripti ad petend' hujusmodi sextam partem in singulis dominicis civitatibus et aliis villis regis in comitatibus subscriptis videlicet—

Will's de Ormesby in comitatibus	*Norff' Suff' Essex' Hertf Cant' Hunt'*
Magister Petrus de Leke in comitatibus	*No[r]thampt' Leyc' Warr' Rotel' Lync'*
Joh'es de Litegreines in comitatibus	*Ebor' Norhumbr' Cumbr' Westm' Lanc'*
Magister Joh'es Lovel in comitatibus	*Wyltes' Somers' Dors' Devon' et Cornub'*

[1] I omit the formal words as to aiding, &c. the taxors and collectors, when these required assistance.

Joh'es de Bosco in comitatibus ... ... Notingh' Derby Salop' Staff' Wygorn'
Rad's de Broghton' in comitatibus ... ... Oxon' Berk' Bedef' Buk' Glouc' Heref' T. ut supra etc.

Et mandatum est vic. Kanc' in hac forma Cum assignaverimus dilectum et fidelem nostrum Rob'tum de Ratford ad petendum subsidium ad opus nostrum de dominicis civitatibus et aliis villis nostris in balliva tua et te associaverimus eidem prout in litteris nostris patentibus ei inde confectis plenius continetur tibi precipimus quod prefato Rob'to in premissis viriliter et diligenter assistas prout ipse tibi scire faciet ex parte nostra et cum ab ipso super hoc fueris requisitus Et hoc nullatenus omittas. Teste Thesaurario etc. xxj° die Novembris anno predicto.

21 Nov. 1294.

Consimili modo mandatum est singulis vicecomitibus comitatuum predictorum in quibus predictus Robertus et alii supradicti assignantur. Teste Thesaurario ut supra. [*Exch. Q.R. Memoranda*, 23 *Edw.* I. Ro. 73.]

The king, in his anxiety to raise money, and fearing that the payment of the first moiety might not be made (as directed by his letters patent) before the feast of the Purification (2 Feb.), wrote to all the taxors[1] (2nd January 1294-5), commanding them to levy the said moiety of the Tenth from any one, immediately after his goods were taxed,[2] or at least to give him a short time for payment; in order that any and all sums received might be paid without delay into the exchequer, in anticipation of the term fixed. A few days later (10 January),[1] after reciting the instructions recently given as to the Tenth, he commanded all the taxors to levy and pay in the same prompt manner the moiety of the Sixth which had been granted in cities, boroughs and other towns.

There yet remains, in a clean and perfect state, a roll[3] of two membranes, showing the money of the Tenth and Sixth received from Tuesday 12 April 1295 (in Easter-term 23 *Edw.* I.) to Tuesday 9 August following. Here are included the receipts from thirty-four[4] counties—

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[1] *Memoranda* (*Q.R.*), 23 *Edw.* I. Ro. 74.

[2] "quod medietatem eandem statim cum quis taxatus fuerit levari faciatis ab eo vel saltem brevem terminum ei detis infra quem vobis satisfacere possit."

[3] *Exchequer. Treasury of Receipt. Miscellanea* 44/18. There is also among the same *Miscellanea* (44/10) a receipt-roll—five membranes in excellent condition—of the Clerical Subsidy granted at the same time. This begins (like the receipt-roll of the Tenth and Sixth) on Tuesday 12 April, and is continued to Thursday 11 August 1295; within which period a sum exceeding £28,000 was paid. The very last item relates to 400 marks received from the abbot and convent of *Furneis*.

[4] Collectors were nominated in thirty-seven counties (*Parl. Writs*, i. 27). Of these, the three missing in this roll are—Lancashire, Cumberland and Westmoreland.

beside London ; but no payment for Lancashire is found among them. The amount set down as paid at the exchequer from the 12th of April to Monday 13 June was £23,809 6*s.* 8*d.* ; and for the remaining period (to 9 Aug.), £9,136.

The following extracts serve to show the form in which the entries are made in the roll :—

Rotulus Recepte de decima et sexta[1] parte bonorum temporalium per populum domino Regi concessis in termino Pasche anno [xxiij°].

¶ Die Martis xij. die Aprilis

De Rob'to le Wyne et Ricardo le Bret collectoribus decime domino Regi concesse in com. Heref' ... D.iij.li. Hereford'

¶ Die Jovis

D' Rob'to Barr' et Almarico de Nodariis collectoribus decime in com. Buk' ... ... CCCC.xiij.li. Item CCCC.xx. li. Buk'

D' Waltero de Beysin et Will'mo de Hodinet collectoribus ejusdem decime in com. Salop' ... ... CC.lxx. li. Item CCC.lvj. li. Salop'

¶ Die Sabati

D' Rogero de Swynnerton' et Joh'e de Heronvulle collectoribus decime in com. Staff' ... ... CC.x. li. Item C.xxiij. li. Staff'

¶ Summa totalis usque huc—M^l. iijC. iiij^xx. xvj. li.
xvj^mo die April. comp.

D' Magistro et fratribus Milicie Templi in Anglia de fine[2] pro decima sua et villanorum suorum de bonis suis temporalibus CC.xxxiij. li. di. marc. Angl'

[*Exch. Treasury of Receipt. Miscellanea* 44/18.]

The Accounts of the Tenth and Sixth collected in all counties are attached to the *Pipe Roll*, 34 *Edw.* I., from which the following extracts are taken:—

De decima et sexta Regi concessis anno xxiij.

COMPOTUS Johannis de Bray et Roberti de Meryngge taxatorum et collectorum decime[3] in Com. Not' Regi xij. die Not'

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[1] The only SIXTH, received within the period covered by this roll, was that paid by the city of London.

[2] The amount in which the *Templars* fined was (note 2, p. 186) five hundred marks, or £333 6*s.* 8*d.* ; of which sum £233 6*s.* 8*d.* are now paid.

[3] Read "decime *et sexte*" ; as required not only by the context, but in order to make the plural (two lines below) "concessarum." See also the item (second line) for Lancashire (p. 186).

12 Nov. 1294. Novembris anno xxij. finiente incipiente[1] xxiij. per Comites Barones milites et omnes alios de Regno concessarum in subsidium gwerre Regis quam Rex pro recuperanda terra Vascon' quam terram Rex Francie super Regem occupaverat contra eundem Regem Francorum moverat de eisdem decima et sexta Com. predicti videlicet de decima omnium bonorum mobilium Comitum Baronum militum et aliorum de regno et de sexta omnium bonorum mobilium hominum de dominicis civitatibus et aliis burgis Regis et villis mercatoriis exceptis bonis mobilibus archiepiscoporum episcoporum abbatum priorum religiosorum et ceterorum cleri regni et villanorum suorum de ecclesiis suis quorum bona ad dictas decimam et sextam minime taxabantur eo quod . . dicto anno vicesimo tercio incipiente in subsidium predicte gwerre Regis concesserunt ipsi Regi medietatem omnium bonorum suorum ecclesiasticorum sicut continetur in Memorandis ejusdem anni xxiij. Et exceptis similiter bonis mobilibus Prioris et fratrum Hospitalis Sancti Ihr'l'm in Anglia et Magistri et fratrum Milicie Templi in Anglia et villanorum suorum quorum bona ad dictas decimam et sextam non fuerunt taxata propter fines[2] quos dicti Prior et Magister pro se et villanis suis inde Regi fecerunt sicut continetur in Mem. eisdem per breve Regis patens.

* * * * *

Lanc' COMPOTUS Mathei de Redemane unius taxat' et coll' decime et sexte per laicos in Com. Lanc' Regi concessarum predicto anno xxij. finiente pro se et Joh'e de Cornub' altero coll' decime et sexte predictarum de eisdem decima et sexta.

Iidem r. comp. de DC.vij. li. xvij. s. xj. d. de decima bonorum mobilium tocius Com. Lancastr' sicut continetur

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[1] See the note 5, p. 162, on the participles, *finiente*, *incipiente*, which are used again (as here seen) in the *Pipe Roll*, 34 *Edw.* I.; and observe also the mention of a precise date for the grant now made.

[2] The Prior of the *Hospitallers* (*Peter* de *Hagham*) and Master of the *Templars* (*Guy* de Foresta) fined with the king in 500 marks, each, for the Tenth; as appears in *Memoranda* (*Q.R.*), 23 *Edw.* I. Ro. 73 dorso.

in Rotulo de particulis quem liberaverunt in th'o Et de xvij. li. xix. s. viij. d. ob. de sexta burgorum Lancastr' et Preston' sicut continetur ibidem.

Sm^{a} DC.xxv. li. xvij. s. vij. d. ob. In th'o CCCC.xxxiiij. li. in iij. tall' Item in th'ro lxix. li. viij. s. per predictum Matheum in ij. tall' Item in th'o xl. li. per predictum Joh' filium Laur' de Cornub' Item in th'ro C. s. per Joh'am que fuit uxor predicti Joh'is de rem. comp. ipsius Joh'is Item in th'o xvj. s. per Edm. de Nevill' nuper vic. pro predicto Matheo Item in th'o lxvj. s. viij. d. per Rad'm de Munjoye quondam vic. de bonis et catallis dicti Joh'is de Cornub' pro predictis x^{a} et vj^{a} Et Robertus de Leiburn' de quo oneratur in summa totali de vij. s. de x^{a} bonorum ipsius Rob'i in Dalton' sicut cont' in dicto R. de particulis deb. inde respondere Et r. in R. ix. Regis E. tercii in Res. Lanc' Et Ric's Punchardon' de quo oneratur de di. mar. de x^{a} ipsius Ric'i in Parva Mitton' sicut cont' ibidem debet inde respondere Et r. in R. ix^{o} Regis E. tercii in Res. Lanc' Et Adam de Hodeleston' *etc.* Et deb. xxxj. li. xv. s. vj. d. Iidem r. comp. de eodem debito In th'o nich. Et eisdem collectoribus pro misis et expensis suis x. li. Et deb. xxj. li. xv. s. vj. d. Et r. in R^{o} v. Regis E. filii Regis hujus in Lanc.'

[*Pipe Roll*, 34 *Edw.* I. Rotulis Compotorum.]

Comparative Table of Receipts

County	Tenth			Sixth			Total		
1. North of Trent	£.	s.	d.	£.	s.	d.	£.	s.	d.
Cumberland[1] ...	...			...			585	–	7
Lancaster ...	607	17	11	17	19	8½	625	17	7½
Northumberland ...	981	4	6¾	230	11	1¼	1,211	15	8
Westmoreland ...	325	14	8¾	3	1	6	328	16	2¾
York : N. Riding	1,731	–	6½	341	15	3¼	2,072	15	9¾
E. Riding	1,281	8	8½	29	4	–	1,310	12	8½
W. Riding[1]	...		...		...		1,750	10	3¾
2. South of Trent									
Essex	2,657	14	0¼	202	16	5	2,860	10	5¼
Middlesex ...	831	16	8½	6	4	7½	838	1	4
Norfolk	7,186	16	11	1,417	18	8	8,604	15	7
London City[2]	...		...	2,700	4	8			

[1] The Tenth and Sixth are not separately stated.

[2] The City of London, of course, paid a Sixth only.

Eleventh[1] and Seventh of Moveable Goods

payable in moieties

before 2 Feb. 1295–6 and 13 May 1296.

(*)

A° 24° Edw. I. 4 Dec. 1295.

In aid of the war with France, Parliament granted to the king, on the fourth day of December 1295, a subsidy to be levied upon moveable goods, namely; an ELEVENTH in counties, and a SEVENTH in cities, boroughs and royal demesnes.

THE Parliament, which was summoned to meet at Westminster on the 13th, and then prorogued to the 27th of Nov. 1295, granted to the king on the fourth of December[2] following, in aid of his war for the recovery of Gascony from the king of *France*, an ELEVENTH of goods in counties, and a SEVENTH of the same in all cities, boroughs and royal demesnes. The taxation was to be made upon goods in possession on Michaelmas-day last past (29 Sept. 1295), with such exceptions as were made in the Tenth lately granted. By writ,[3] dated 4 Dec. 1295, Master *Richard* de *Hoghton*, clerk, and *Nicholas Blundell*, serjeant (*serviens*), were appointed to assess, tax, levy and collect the said Eleventh and Seventh in Lancashire, and to pay into the king's exchequer the amount so obtained at two several terms, namely; one moiety before (*citra*) the feast of the Purification then next coming (2 Feb. 1295-6); and the other moiety before (*citra*) the feast of Pentecost ensuing (13 May 1296).

The form for taxing and levying the Eleventh and Seventh is found at length in *Memoranda* (*Q.R.*), 24 *Edw.* I. Ro. 65. There is no variation from that before prescribed for the Tenth and Sixth. The twelve men elected in every hundred (other than those who have already been taxors), the four lawful men (with the same reservation) and the reeve, reappear; and the exceptions are the same as before (p. 182), including (in cities, boroughs and market-towns) the cup of silver or of mazer, used for drinking. The goods of no one are to be taxed to the Eleventh unless they amount to the value of eleven shillings or more; or to the Seventh, unless they amount to the value of seven shillings or more.[4]

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[1] No documents found for LANCASHIRE.

[2] See the heading of the Account below, in which this fact is stated.

[3] *Pat. R.*, 24 *Edw.* I. *m.* 22; printed in *Parliamentary Writs*, i. 45.

[4] "E les biens de nuli ne seient taxez al unzime sil namountent a unze sous ou plus Ne al setime sil namountent a set souz ou plus." [*Memoranda* (*Q.R.*), 24 *Edw.* I. Ro. 65]

There remains a portion of a Receipt-roll of an Eleventh, entitled—"Rotulus undecime domino Regi concesse in termino Pasche anno r. R. E. xxvj^to"; showing small sums received from 17 April to 20 May 1298 in London (a Seventh), and the counties of Warwick, Worcester, Berks and Huntingdon. [*Exch. Treasury of Receipt. Miscellanea* 44/5]

A full Account of the Eleventh and Seventh,[1] thus granted throughout England, is attached to the *Pipe Roll*, 34 *Edw.* I., from which the following entries are extracted:—

Compoti diversorum de undecima et septima Regi a laicis concessis anno vicesimo quarto.

COMPOTUS Thome de Derewentwatre et Will'i de Coumbe taxatorum et collectorum undecime et septime in Comitatu Westmerl' Regi quarto die Decembris anno xxiiij. per Comites Barones Milites et omnes alios de regno concessarum in subsidium guerre Regis quam Rex pro recuperanda terra Vascon' quam terram Rex Francie super Regem occupaverat contra eundem Regem Francorum moverat de eisdem undecima et septima in Com. predicto videlicet de undecima omnium bonorum mobilium Comitum Baronum militum et aliorum de regno et de septima omnium bonorum mobilium hominum de dominicis Regis civitatibus et aliis burgis et villis mercatoriis regni exceptis bonis mobilibus archiepiscoporum episcoporum abbatum priorum religiosorum et ceteri cleri regni quorum bona ad dictas undecimam et septimam minime taxabantur eo quod *etc.*[2] Westmerl' 4 Dec. 1295.

Iidem r. comp. de CC.xxvj. li. xviij. s. viij. d. q^a. receptis de dicta undecima tocius Com. Westmerl' . . . Et de Lxiij. s. v. d. o. q^a. de septima burgi de Appleby *etc.*

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[1] Observe the illustrative example (*Rolls of Parliament*, i. 228) of a Seventh levied within the borough of Colchester at this date (24 *Edw.* I.).

[2] Because the clergy had granted a Tenth "in subsidium predicte guerre Regis." See the king's letters, dated at Westminster 11 Dec. in the 24th year (1295), appointing collectors in the several dioceses, under the heading—"Decima beneficiorum ecclesiasticorum Regi a clero Anglie concessa." One moiety of such Tenth was to be paid on the first of March next (1295-6); the other moiety, on the feast of the Holy Trinity following (20 May 1296). [*Memoranda* (*Q.R.*), 24 *Edward* I. Ro. 63] The Master of the *Templars* and Prior of the *Hospitallers* fined with the king, on behalf of their respective brotherhoods, as to an Eleventh of their temporal goods, in the sum of six hundred marks, each. [*Ibid.* Ro. 65 dorso]

Summa tocius undecime et septime Com. Westmerl' CC.xxx. li. ij. s. j. d. o. q^{a}. In Th'o *etc.*

LANC' COMPOTUS Magistri Ric'i de Houghton' et Nich'i Blundel taxatorum et collectorum predictarum undecime et septime Regi concessarum in Com. Lancastr' predico iiij^{to}. die Decembris anno xxiiij. in forma superius contenta.

Iidem r. comp. de D.lxxvj. li. xiiij. s. viij. d. o. de undecima bonorum laicorum in Com. predicto sicut continetur in R^{o} de particulis quem liberaverunt in Thesauro. Et de xvj. li. xv. s. j. d. de septima burgens' Lanc' Preston' in Aumundernesse et Wygayn sicut continetur ibidem.

Summa tocius recepte undecime et septime D.iiij^{xx}. xiij. li. ix. s. ix. d. ob. In Th'ro D.x. li. xiiij. s. ix. d. per iij. tall' Et deb. iiij^{xx}. ij. li. xv. s. o. Sed non debent summoneri de xxxvij. li. ij. s. iiij. d. que sunt de undecima propriorum bonorum Abbatum de Furneus Cokersand Mirivall' Stanlawe et Dieulacres et Prior' de Lythum et Burscou et de quibus superius onerantur in summa totali sicut continetur in predicto R^{o} de particulis qui quidem abbates et priores sunt quieti de prestacione predicte undecime de propriis bonis suis pro eo quod concesserunt Regi decimam omnium bonorum suorum ecclesiasticorum sicut continetur superius in titulo. Et debent xlv. li. xij. s. viij. d. o. De quibus Edmundus frater Regis qui in obsequio Regis moratur in partibus Vascon' et pro quo et cujus villanis iidem collectores onerantur per particulas in predicta summa totali de xxj. li. xij. s. viij. d. o. de undecima bonorum ipsius Comitis et villanorum suorum in diversis villis in Com. predicto sicut continetur in predicto R^{o} particularum respondet infra de eisdem xxj. li. xij. s. viij. d. o. pro predictis collectoribus. Et debent xxiiij. li. Iidem r. comp. de eodem debito. In Th'ro n^{l}. Et eisdem taxator' et coll' pro expensis et misis quas fecerunt circa colleccionem denariorum predictarum undecime et septime et denar' cariand' usque Lond' et Scociam per vices C. s. Et debent xvj. li. xij. s. viij. d. o. Et respondent in Rotulo v^{to} R. E. filii Regis hujus in Lancastr'.

Edmundus frater Regis debet xxj. li. xij. s. viij. d. o. de undecima bonorum suorum et villanorum suorum in diversis

villis in Com. Lanc' pro Magistro Ric'o de Houghton' et Nich'o Blundel taxat' et coll' predicte undecime sicut supra continetur.[1] Et resp. in R° v^to^ R. E. filii Regis hujus.

[*Pipe Roll*, 34 *Edw.* I. Rotulis Compotorum.]

COMPARATIVE TABLE OF RECEIPTS

County	ELEVENTH £.	s.	d.	SEVENTH £.	s.	d.	TOTAL £.	s.	d.
1. NORTH OF TRENT									
Cumberland ...	330	5	5	9	1	5½	339	6	10½
LANCASTER ...	576	14	8½	16	15	1	593	9	9½
Northumberland ...	833	19	0	154	5	9½	988	4	9½
Westmoreland ...	226	18	8	3	3	5¾	230	2	1¾
York: N. Riding ...	744	7	1¾	187	13	10¾	932	1	0½
E. Riding [2]		...			...		614	1	11¾
W. Riding[2]		...			...		794	12	11½
2. SOUTH OF TRENT									
Essex	1,893	5	10¼	25	11	11¾	1,918	17	10
Middlesex... ...	435	19	0½	4	13	0	440	12	0½
Norfolk	4,716	4	7	647	2	10	5,363	7	5
LONDON City [3] ...	...		...	1,377	19	8½			

Twelfth[4] and Eighth of Moveable Goods

payable in moieties

before 2 Feb. 1296–7 and 2 June 1297.

(*)

A° 25° Edw. I. 29 Nov. 1296.

In aid of his war with France, Parliament granted to the king, on the twenty-ninth day of November 1296, a TWELFTH of moveable goods in counties, and an EIGHTH in cities, boroughs and royal demesnes.

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[1] All this is exactly copied from the roll ; but there is evident error, because £5 (or 100*s.*), deducted from a debt of £24, leaves a balance of £19. By some mischance the deduction has been made from £21 12*s.* 8½*d.*, due from *Edmund* the king's brother ; for which amount the collectors have already taken credit, and reduced their debt of £45 12*s.* 8½*d.* to £24.

[2] The Eleventh and Seventh are not separately stated.

[3] The City of London, of course, paid a SEVENTH only.

[4] No documents found for LANCASHIRE.

THE Parliament, which was summoned to meet at Saint Edmunds (now Bury) on the morrow of All Souls (3 Nov.) 1296, granted to the king on the 29th of November, in aid of his war waged with the king of *France* for the recovery of Gascony, a Twelfth of moveable goods in counties, and an Eighth in cities, boroughs and royal demesnes. The levy was to be made upon all goods that were in the field, or in the house, or elsewhere on Michaelmas-day last (29 Sept. 1296); and treasure[1] in money, which had been before excepted (p. 182), was now to be included. The form of taxation is written at length in *Memoranda* (*Q.R.*), 25 *Edw.* I. Ro. 87. Twelve men of each hundred duly elected were again to act (as seen before under the Eleventh, p. 188) in concert with four lawful men and the reeve of every town. The temporal goods of the clergy and of their villains were likewise to be taxed, except in the case of those who had fined for themselves and their villains.[2] The goods exempted from taxation were those before named (pp. 178, 182), save treasure in money which (as above seen, eighth line) was now ordered to be taxed.[3] All cities and boroughs, large and small, of the kingdom whatsoever and of whosesoever tenure or liberty (*fraunchise*), and all the king's demesnes were to be taxed to the Eighth, the exceptions in goods[4] being those before allowed in the like cases. The goods of no one to be taxed to the Twelfth, if below twelve shillings; or to the Eighth, if below eight shillings in value.

The taxors assigned in LANCASHIRE by the king's letters, with the *teste* of his treasurer, *W.* de *Langton* bishop-elect of *Coventry* and *Lichfield*, and bearing date at Westminster 29 Nov. in the 25th year (1296),

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[1] "touz les biens de chescun queu part qil feussent auxi bien en chaump come en mesoun ou ailleurs le jour de la seint Michel prochein passe auxi bien tresor en deniers come touz autres bien." [*Memoranda* (*Q.R.*), 25 *Edw.* I. (nº 21) Ro. 87]

[2] The clergy, availing themselves of the bull of Pope *Boniface* VIII. dated 24 Feb. 1295–6, which forbad the payment of any taxes to laymen under any pretence whatever, refused a subsidy to the king, whereupon *Edward* proceeded to seize all their lay-fees, together with their goods and chattels, and imprisoned certain of the clergy for publishing the pope's bull and sentence of excommunication. [Brady, *History of Edw.* I. &c. 40 E to 51 D] See also *Constitutional History of England* (ed. Stubbs), ii. 141.

[3] "Et fet a saver qe en ceste taxacioun serrount forspris armeure mounture jueaux e robes a chivaliers e gentiz hommes e a leur femmes e leur vesseale dor e dargent e darreim."

[4] E en citez burgs e viles marchaundes serrount forspris une robe pur le homme e un autre pur la femme e un lit pur ambedeux e un anel e un fermail dor ou dargent e un ceynt de saye quil usent toutz les jours e ensement un hanap de argent ou de mazere dount il beivent. [*Memoranda* (as before, note 1).]

were Master *Richard* de *Hoghton* and *John Gentil*, who were to assess, tax, levy and collect the Twelfth, and to bring the money therefrom received to the exchequer at two terms, namely; one moiety before (*citra*) the feast of the Purification next (2 Feb. 1296–7), and the other moiety before (*citra*) the feast of Pentecost following (2 June 1297).[1]

Afterwards the king wrote to the taxors in the several counties, reminding them that although they had been distinctly enjoined to pay the first moiety before the feast of the Purification, no money had been sent up to that date (23 January 1296–7). They were now commanded to attend to the matter at once. These commands being yet unheeded, the taxors and collectors of the Twelfth in Lancashire—the same form of writ being used for other counties—were addressed on the sixth of March following (1296–7), and required, after grave remonstrance for their dilatory conduct, immediately on sight of the letters, to proceed night and day with the collection of the levy, under the threat for further delay in paying the first moiety, in all or in part, of having their goods and tenements seized, and their bodies committed to prison.[2]

The question whether any payments were made at an earlier date cannot be exactly answered; but, at least, there exists a Receipt-roll which commences on Tuesday 23 April 1297, headed "Rotulus Duodecime et Octave in termino Pasche anno regni Regis E. xxv^to^." The evidence of this roll calls for a remark upon the commencement of Easter-term. Easter-day falling (in the year 1297) on the fourteenth of April, the term—observe the words, "*in termino Pasche*"—includes, if it does not begin upon, Tuesday after the Close[3] of Easter, or Tuesday-week following, *i.e.* 23 April. Precisely the same calculation is found by the Receipt of the Tenth and Sixth quoted before (p. 185). In that year (1295) Easter fell on the third of April, and the first receipt in Easter-term (*in termino Pasche*) is dated on Tuesday after the Close of Easter, or 12 April. Also in the case of a Clerical Subsidy[4] granted to the king, the Receipt-roll for Easter-term in the 23rd year begins on Tuesday 12 April. Further a Receipt-roll of Tallage (extracted below, p. 249) in Easter-term 32 Edw. I.[5] begins with Tuesday the 7th of April. Now Easter-day in 32 Edw. I. (1304) was 29 March, and here is the first payment on the Tuesday-week following, or Tuesday after the Close of Easter. Hence there appears to be deducible a rule that Easter-term begins nine days after Easter-day.

Commencement of Easter-term in the Exchequer Court.

Both *Nicolas*[6] and *Bond*[7] state that "Easter Term began seventeen

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[1] *Memoranda* (*Q.R.*), 25 *Edward* I. Ro. 87. See also *Parliamentary Writs*, i. 51.

[2] *Memoranda* (*Q.R.*), 25 *Edward* I. Ro. 88 dorso.

[3] The "Close of Easter" is the Sunday after Easter, or *Quasimodo*.

[4] *Exchequer. Treasury of Receipt. Miscellanea*, 44/10. [5] *Ibid.* 45/7.

[6] *Chronology of History* (Second Edition), page 385.

[7] *Handy-Book of Rules and Tables for verifying Dates*, &c. (1875), 174.

days, *i.e.* the Wednesday fortnight, after Easter day"; and no hint is given by either writer as to the terms in the Court of Exchequer differing from those in the other courts, although *Hopton* in his *Concordancy*, cited by *Nicolas* (385, note †) as his authority, says :—

"The Exchequer alwaies openeth eight dayes before any Tearme; onely excepting Trinitie Tearme, and then it openeth but 4 daies before." [1]

To return to the receipt-roll of the Twelfth and Eighth above mentioned (p. 193). The manner in which the entries are made is as follows :—

Die Martis xxiij° de April'

Wyltes' D' Joh'e de Holte et Henr' de Tydolshide coll' xij^{e} et viij^{e} in Com' Wiltes' ... ... Clvj. li.

Summa. Clvj. li.

Die Mercur'

Suff' D' Rog'o de Soterl et Ric'o Lenebaud coll' xij^{e} in Com' Suff' ... ... Dl. li.

Derb' D' Henr' de Braylesford' et Rob'to Bozoun coll' xij^{e} in Com' Derb' ... ... CCC. li.

Summa. DCCCl. li.

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Die Sab'ti [primo die Junii]

Lanc' D' Mag'ro Ric'o de Hoghton' et Joh'ne le Gentyl coll' xij^{e} in Com' Lanc' ... ... CCCCxxxv. li. xvj. d.

Norhumbr' D' Rog'o Mauduit et Rob'to de Merleye coll' xij^{e} in Com' Norhumbr' ... ... CCC. li.

Summa. DCCxxxv. li. xvi. d.

Die Veneris in septimana Pent'

Norhumbr' D' Rog'o Mauduit et Rob'to de Merleye coll' xij^{e} in Com' Norhumbr' ... ... xx. li.

Summa. xx. li.

Summa totalis usque huc—xiiij M. DC. xxv. li. xj. s. [iiij. d.]

The next receipts are headed "POST TRINITAT." and commence on Tuesday after the feast of Holy Trinity, the eleventh day of June, with a payment of £7 1*s.* 4*d.* by the collectors in the county of Surrey, and of £20 by those in Cambridgeshire. Omitting the intermediate entries, the next payment by the collectors for Lancashire is :—

Die Sabati xiij° die Julii

Lanc D' Mag'ro Ric'o de Hoghton' et Joh'ne le Gentyl coll' xij^{e} in Com' Lanc' ... ... xxj. li. xiiij. s.

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[1] *A Concordancy of Yeares*, &c. by Arthur Hopton. London, 1612, 8vo. p. 245 ; *Hopton's Concordancy enlarged*, &c. by John Penkethman, London, 1635, 8vo. p. 246.

The receipts are continued until Friday 13 Sept. on which day the collectors in the North Riding of Yorkshire paid the sum of £86 3*s.* 4*d.*

A condensed abstract of the first portion of the roll will serve to convey some idea of the intermittent manner in which the money collected from various counties was received in the Exchequer.

A.D. 1297. April		*County*	£.	*s.*	*d.*
Tuesday	23	Wilts	156	–	–
Wednesday	24	Suffolk	550	–	–
		Derby	300	–	–
			£850		
Monday	29	Nottingham ..	420	–	–
		Lincoln	800	–	–
			£1,220		
	May				
Friday	3	Northampton	300	–	–
		Huntingdon ..	46	–	–
			£346		
Saturday	4	Rutland ..	166	2	–

A.D. 1297. May		*County*	£.	*s.*	*d.*
Tuesday	7	Southampton	357	–	–
		Westmoreland	100	–	–
		Cumberland ..	140	–	–
			£597		
Wednesday	8	Essex	340	–	–
Thursday	9	Sussex	614	4	6
Tuesday	14	Northumb'land	400	–	–
Thursday	16	York, N.R. ..	500	–	–
Friday	17	Oxford ..	40	–	–
Monday	20	Leicester ..	200	–	–
Wednesday	22	London ..	9	7	6

The greatest receipt in one day was £3,037 16*s.* on Friday the 24th of May, made up of these sums :—Worcestershire, £245 ; Kent, £973 8*s.* ; Southampton, £153 8*s.* ; Salop, £166 ; London, £900; Norfolk, £600.

A.D. 1297.	Summary	£.	*s.*	*d.*
Received from 23 April to 7 June	... ...	14,625	11	4
Ditto from 11 June to 13 September	... ...	2,444	16	6
Total Receipt of this Roll		£17,070	7	10

[*Exch. Treasury of Receipt. Miscellanea* $\frac{2}{66}$]

The Accounts of the collectors in the several counties are inserted in the *Pipe Roll*, 34 *Edw.* I., to which already reference has been made (pp. 187, 191) :—

Compoti diversorum de duodecima et octava Regi a laicis concessis anno xxv^to^.

Lanc' Compotus Magistri Ric'i de Houghton' et Joh'is le Gentyl taxatorum et collectorum duodecime et octave in Com. Lancastr' Regi xxix. die Novembris anno xxv. concessarum per Comites Barones Milites et omnes alios de regno in subsidium guerre Regis quam Rex pro recuperanda terra Vascon' quam terram Rex Franc' super Regem occupaverat contra eundem Regem Francorum moverat de eisdem 29 Nov. 1296.

duodecima et octava Comitatus predicti videlicet de duodecima omnium bonorum mobilium Comitum Baronum Militum et aliorum de regno et de octava omnium bonorum mobilium hominum de dominicis civitatibus et aliis burgis et villis mercator' quorumcunque fuerint in regno Exceptis bonis mobilibus Archiepiscoporum Episcoporum Abbatum Priorum religiosorum et ceteri cleri regni ecclesiis suis annexis que ad dictas duodecimam et octavam minime taxabantur et que excipiebantur in forma taxacionis dictarum duodecime et octave sicut continetur in Memorandis termino Sancti Michaelis anno xxv. incipiente.

Iidem redd. comp. de CCCC.lxvj. li. vj. s. v. d. de duodecima in Com. predicto sicut continetur in rotulo de particulis quem liberaverunt in Thesauro. Et de xvj. li. ij. s. vij. d. ob. de octava bonorum Burgensium in burgis de Lancastr' Preston' in Aumundernesse et Vigein sicut continetur ibidem.

Summa recepte duodecime et octave CCCC. iiij^{xx}ij li. ix. s. ob. In Th'ro CCCC.xxxv li. xvj. d.[1] per unam talliam. Et debent xlvij. li. vij. s. viij d. ob. Iidem r. comp. de eodem debito. In Th'o nichil. Et in perdon' Henr' de Lascy Comiti Lincoln' qui in obsequio R. per preceptum R. in partibus Vascon' moram facit xiiij. li. xiij. s. v. d. de duodecima propriorum bonorum predicti comitis in Hundredo de Blakeburnsh' per breve Regis in quo continetur quod Rex mandat Baron' de Scaccario quod quia predictus comes in obsequio R. in partibus predictis moram facit ipsum Henr' de duodecima illum de bonis suis propriis racione duodecime Regi a laicis regni sui concesse contingente quietum esse faciant. Et in perdon' Ric'o filio Joh'is qui moratur in obsequio R. in predictis partibus Vascon' per preceptum R. vj. s. de propriis bonis ipsius Ric'i in villa de Wytheton' in Com. predicto per breve Regis. Et debent predicti taxatores et collectores xxxij. li. viij. s. iij. d. ob. Iidem r. comp. de eodem debito. In Thes. nichil. Et eisdem taxatoribus et collectoribus pro expensis et misis quas fecerunt circa colleccionem denariorum predictarum duodecime et

[1] This amount, as above seen (p. 194), was paid on Saturday the first of June 1297.

octave et denar' cariand' usque London' C. s. Et debent xxvij. li. viij. s. iij. d. ob. Sed resp' in R° v^to Regis E.[1] filii Regis hujus in Lancastr'.

[*Pipe Roll*, 34 *Edw.* I. Rotulo compotorum]

COMPARATIVE TABLE OF RECEIPTS

County	TWELFTH			EIGHTH			TOTAL		
1. NORTH OF TRENT	£.	s.	d.	£.	s.	d.	£.	s.	d.
Cumberland	307	14	11¼	7	15	3¼	315	10	2½
LANCASTER	466	6	5	16	2	7½	482	9	0½
Northumberland ...	721	0	9	184	7	5¼	905	8	2¼
Westmoreland ...	231	6	2	3	1	1	234	7	3
York : N. Riding ...	696	13	4	185	14	11¼	882	8	3¼
E. Riding[2] ...	...		...	...		...	455	8	7¾
W. Riding[2] ...	...		...	...		...	681	0	1
2. SOUTH OF TRENT									
Essex	1,032	9	9½	100	19	9	1,133	9	6½
Middlesex	307	18	10¾	4	3	4	312	2	2¾
Norfolk	2,816	1	5	376	8	8	3,192	10	1
LONDON City[3] ...	...		...	1,999	7	0			

A Ninth[4] of Moveable Goods

payable in moieties

7 Dec. 1297 and 3 Feb. 1297-8.

(*)

A° 25° Edw. I.

6 Oct. 1297.

In the Parliament which had been summoned, in the king's name by *Edward* his son, to meet at London on the 6th of October 1297, a NINTH of moveable goods in counties[5] was granted to the king, although absent from England, in consideration of his having undertaken to renew and confirm the Great Charter of Liberties and Charter of the Forest.

[1] The *Pipe Roll*, here referred to, shows the following :—"Magister Ric's de Houghton' et Joh'es Gentyl taxatores et collectores duodecime et octave in Com. Lanc' [blank] xxvij. li. viij. s. iij. d. ob. de remanenti compoti sui de eisdem xij^a et viij^a sicut continetur in R° xxxiiij^to R° comp' in Lanc'." [*Pipe Roll*, 5 *Edw.* II. Lancastre]

[2] The Twelfth and Eighth are not separately stated.

[3] The City of London, of course, paid an EIGHTH only.

[4] No documents are now to be found for LANCASHIRE.

[5] The levy of a Ninth was made in cities, boroughs and royal demesnes, by an order subsequently issued (p. 214).

A.D. 1297. Eighth and Fifth.

THE late Rev. *Joseph Hunter* remarked[1] that, of the Eighth and Fifth granted in 25 *Edw.* I., "no accounts or other documents have yet been recovered." The reason for none such appearing is, that the grant in question was withdrawn. This fact is placed upon record by a writ dated 14 Dec. 1297, directing the barons of the exchequer to allow to the late sheriff of *Cornwall* in his accompt one hundred shillings which, by the king's command, he had delivered for their expenses to the two persons assigned to tax, levy and collect in the county of Devon the Eighth and Fifth ; which had been lately granted by the laity, but were afterwards revoked (*que quidem octava et quinta postmodum revocate fuerunt*). Here is the evidence :—

Pro Thoma de la Hide nuper vic' Cornub'

Rex eisdem [i.e. *Baronibus suis de Scaccario*] *salutem Allocate Thome de la Hide vicecomiti nostri Cornub' in compoto suo ad scaccarium predictum Centum solidos quos per preceptum nostrum liberavit Thome de Kanc' et Ric'o de Podyforde de comitatu Cornubie ad octavam et quintam nuper nobis a laicis regni nostri concessam in comitatu Devon' taxand' levand' et colligend' assignatis anno regni nostri vicesimo quinto pro expensis suis circa premissa facienda* que quidem octava et quinta postmodum revocate fuerunt *Nisi etc. Et recipiatis ab eo breve nostrum de precepto per quod predictam pecuniam liberavit necnon et litteras patentes predictorum Thome de Kanc' et Ric'i recepcionem dicte pecunie testificantes. Teste ut supra* [i.e. *Edwardo filio regis apud Turrim Lond' xiiij. die Decembris*], *per billam de scaccario.* [*Liberate Roll*, 26 *Edw.* I. *m.* 8]

14 Dec. 1297.

Edward, having engaged by treaty with *Guy* count of *Flanders* to assist him in person, with a view to joint action against their common enemy the king of *France*, summoned the earls, barons and other his military tenants, to be at London on Sunday (7 July) after the Octave of S. *John Baptist*, in readiness to go with him whithersoever he willed. Like summonses were also issued for all those who possessed £20 (or more) by the year in lands or rent ; and all prelates, widows and other women, holding of the king in chief by knight's service, or by serjeanty, were strictly enjoined to have their service at London on the same day (7 July).[2] The presence of such a concourse at the seat of government, and in the very height of summer, afforded *Edward* an opportunity to hold a general council or parliament ; the rather, as he was in great need of money for the expedition to Flanders, as well as for paying his forces engaged in Gascony and Scotland. The earl constable and earl marshal[3]

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[1] *Second Report of the Deputy Keeper of the Public Records.* Appendix ii. p. 138, note.

[2] See the series of writs printed in *Parliamentary Writs*, i. 53, 55, 56.

[3] *Humfrey de Bohun* earl of *Hereford* and *Essex*, lord high constable ; *Roger Bigod* earl of *Norfolk*, marshal of *England*.

absolutely refused to perform the duties of their respective offices, and to enrol the names of those who had received a military summons, or had assembled by request ; upon the plea that their feudal tenure did not include any obligation to go with the king to Flanders.[1] They in writing desired *Edward* to appoint in their room others of his household. After the failure of protracted efforts to move them to obey him, by intervention of those about his person and in his confidence, he acted upon the suggestion made, and nominated *Thomas* de *Berkeley* constable, and *Geoffrey* de *Geneville* marshal. After a time the two earls withdrew from the court, and were joined in their opposition to the king by many other knights.[2]

At the sitting of the parliament, which was held in spite of the contumacy and departure of the two great earls and their followers, *Edward*'s necessities allowed him no choice but to agree that, if a grant of money were now made to him, he would renew and confirm the two charters granted by his father. The day on which the grant was made is not stated ; but, judging from what has been seen before, it may be fairly inferred that, like the three levies immediately preceding, the date of the writs is the date also of the grant. Thus :—

Page		Date of Grant	Date of Writ
182	TENTH and SIXTH	Nov. 12	Nov. 12, 1294.
188	ELEVENTH and SEVENTH ...	Dec. 4	Dec. 4, 1295.
192	TWELFTH and EIGHTH ...	Nov. 29	Nov. 29, 1296.

On the 30th of July 1297, the king appointed taxors in the several counties ; nominating *William* de *Saint Quintin* and *Geoffrey* de *Hothom* of the county of York, to act in Lancashire ; *Robert* de *Hoylande*[3] and *Alan le Norreys* of Lancashire, to act in the county of Derby. In the letters addressed to the knights, free tenants and commonalty of *Westmoreland*—the same form being used for all counties—it is stated that the earls, barons, knights and other laymen in counties had granted an Eighth part ; and the citizens, burgesses and other honest men, a Fifth part of their moveable goods, in order to obtain from him the confirmation of the Great Charter of Liberties, and the Charter of the Forest granted by his father of famous memory. The levy was to be made upon

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[1] It will be seen that afterwards this objection was allowed by the king (p. 202).

[2] These details are given on the authority of *Edward* himself in the declaration referred to below (p. 201, note 4).

[3] He was one of the collectors of the Fifteenth (pp. 177, 179), and is presumably the person whose name occurs (p. 169) under the THIRTIETH as *Robert* de *Hoyl'*—a contracted form of *Hoylande*, otherwise written *Holonde*, *Holande*, &c. (now *Holland*). See ALPHABETICAL DIGEST—PERSONS, *Parliamentary Writs*, vol. i. 671.

A.D. 1297. goods had in the field, house, or elsewhere, on the eighth of September following,[1] with the exception of armour, riding-horses, jewels and gowns for knights and gentle men, and their wives ; also their vessels of gold, silver and brass.

In the mean time *Edward* had to provide for the administration of affairs at home, while absent himself on his projected expedition. So, on Sunday the fourteenth of July, the prelates, earls, barons and other magnates of the realm being called together within his palace of Westminster, they in his presence, and with his and their united assent and will, did fealty severally to *Edward* the king's son, and took a corporal oath in this form, namely ; "That we will be faithful and loyal to *Edward* son of *Edward* king of *England*, and toward him faith and loyalty bear, in life and limb and earthly honour, against all people ; and, after his father's death, we will keep him for our king and lord. So help us God and the Saints !" On the Tuesday following the earl marshal, earl constable with other great men, all the aldermen of the city of London, their fellow-citizens, and many more did fealty in the like form. Such is the substance of an entry among *Memoranda* of this year, on the margin of which is drawn a crowned head and an arm outstretched, receiving a sceptre with the left hand. A transcript of this *memorandum* here follows:—

De fidelitate facta Edwardo filio Regis Edwardi

Memorandum quod die Dominica proxima ante festum Sancte Margarete anno regni Regis nunc vicesimo quinto ipso Rege apud Westm. existente convocatisque ibidem archiepiscopis episcopis abbatibus prioribus comitibus baronibus et aliis magnatibus hujus regni in presencia ipsius Regis infra palacium suum Westm. ex assensu et voluntate ipsius Regis et magnatum predictorum ipsi magnates videlicet venerabiles patres R. de Winchelese Cantuar' archiepiscopus tocius Anglie primas Magister Henr' de Newerk' Ebor. frater W. de Hothum Dublin' electi A. de Beke Dunolm' O. de Sutton' Lincoln' W. de Luda Elyens' R. de Walpol Norwic' R. de Gravesende London' W. de March' Bath' et Welleos' episcopi W. de Bello campo comes Warr' J. de Hastinges W. de Breouse Th. de Berkle G. de Geynvill' A. de Valenc' H. le Despenser et alii magnates videlicet quilibet eorum per se fecerunt fidelitatem Edwardo filio domini Regis Edwardi Regis nunc et juramentum inde prestiterunt corporale in hac forma videlicet—*Que nous serroms feaux e leaux a Edward fuiz Edward Roy Dengleterre e foy e leaute ly porteroms de vie e de membre e de terriene honur encountre totes gentz e apres la mort son piere por Rey e seignur ly tendroms. Si Dieus nous eyde e les seintz.*

Postea secundo die sequenti R. Bygod comes Norff' et marescallus Anglie H. de Boun comes Hereford' et constabularius Anglie et alii magnates regni et omnes Aldermanni civitatis London' et alii concives

[1] For the form of levying the Eighth, and other documents connected therewith, see *Parliamentary Writs*, i. 53-56.

ejusdem civitatis et quamplures de regno fidelitatem fecerunt in forma memorata. [*Exch. L.T.R. Memoranda* (n° 26), 24 & 25 *Edw.* I. *m.* 55]

In a letter of *Edward*, dated at Eltham 2 Aug. 1297, and addressed to the before-mentioned count of *Flanders*,[1] he excuses himself for his delay in crossing the sea, and enters upon an explanation. He had sent word (he says) by *Guy*'s messengers upon their return home, that he would be at London on Sunday (7 July) after the Octave of S. *John Baptist*, and would then go with his army to take his passage as quickly as possible. Before that day, indeed, he came to London;[2] but, hindered by great business which he had to do, he could not set out for the sea until this instant Wednesday the thirty-first of July,[3] on which day he began his journey towards the port of embarkation. And now he intends (he adds) to spend not more than a night anywhere until he arrives at the sea-coast where, please God, he will find his armed men, and everything required for his passage in such readiness, that he will have to wait only for the will of God and suitable weather, before he comes to Flanders with all the haste he can.

The great business (*grantz busoignes*) which had delayed the king, was mainly that of supply ; for which, by the issue of writs tested on the 30th of July (the day before he left London), he believed that he had sufficiently provided. A few days later (12 Aug.), when arrived at Odymere (now Udimore) near Winchelsea, in order to contradict the false reports put in circulation, he felt himself compelled to publish a statement at great length,[4] which was sent for general information to all the sheriffs in England ; recounting the truth of recent events, as connected with the refusal of the two earls and their adherents to go with him into Flanders, and setting forth the urgency of his position. In this he

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[1] Printed in Rymer's *Fœdera*, i. 869, and preceded (p. 850) by various instruments touching the treaty of alliance between *Edward* and the count. The latter gave at Bruges, on the morrow of S. *John Baptist* (25 June) 1297, an acquittance for 76,000 *livres Tournois* (£18,240), on account of 100,000 (or, at £24 sterling for one hundred livres, £24,000) of the same money; in which sum *Edward* was bound to him for the first year of the convention between them. [*Fœdera*, i. 868.]

[2] *Edward* had been at Canterbury from the 2nd to the 10th of June. He then went by Ospring, Leeds, Chatham, &c. through Greenwich to Westminster, where his *teste* is found on the 18th of June.

[3] "mes pur grantz busoignes qui nous eumes illoekes araer de establisement de nos terres, e pur aucuns pelrinages e pur assez des autres grantz choses qui nous eumes a faire . . . nous ne peumes partir de illoeques pur aler vers la meer jesques a ice Meskerdy le darrein jour de Juyl." [*Fœdera*, i. 869.]

[4] Printed from *Patent Roll*, 25 *Edw.* I. *part* 2, *m.* 7, by *Brady* in his *Continuation of the Complete History of England*, Appendix n° 31 (p. 20), with a translation at p. 55 of the same volume ; and in *Fœdera*, i. 872.

undertakes to grant the confirmation of the Great Charter of Liberties and Charter of the Forest, in return for a general gift, such as is very greatly needed at this moment.[1] He declares that he knows nothing of certain articles alleged to have been shown to him by the earls. Understanding that, amongst these, complaint is made as to the aids so frequently demanded from his people, while it grieves him greatly to have so burdened them, he begs them to remember in excuse; that these levies had been forced upon him by his wars in Gascony, Wales, Scotland and elsewhere, which he could not have carried on without their assistance in money. He has laid these taxes upon them, not with any personal wish to gain lands, or castles, or towns, but with the sole thought of defending himself, and them, and the whole kingdom. He avows his will and great desire to amend every thing which he ought to reform on his return from the voyage which he is now making. If he should never return, he will ordain that his heir shall fulfil his own designs for such amendments, just as if he had come back himself. He insists upon the peril of his ally, and the imperative necessity of going to his succour, being bound by treaty obligations; and he concludes by asking for their prayers, that his voyage may redound to his own and their honour, and in the end bring about a durable peace.

This remarkable condescension on the king's part, however much it may have impressed the general body of the people, had no effect in moderating the opposition of the earls and their followers. Indeed they were stimulated to further resistance, for they had succeeded after much altercation in wringing from *Edward* the concession, that all those who owed service to him, and had £20 in land, were not bound to go with him to Flanders,[2] except upon payment of their stipends and wages by him. So *Bartholomew Cotton*, who is extraordinarily accurate in his narrative of the events of this year. His statements, when tested, are found to exactly agree with the public records; and he evidently writes with a full knowledge of what was then happening in the kingdom. This is what he says:—

"Eodem[3] anno post multas et varias altercationes, concessit dominus rex omnibus qui debebant sibi servitium, et viginti libratas terræ habentibus, non teneri ire secum in Flandriam, nisi ad vadia et pro stipendiis dicti domini regis."

The burdens which were borne by the nation at large having been

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[1] "E pur aver le confermement de la graunt chartre des fraunchises Dengleterre e de la chartre de la foreste le queu confermement le Reys leur ad graunte bonement si li graunterent un commun doun tel com lui est mult bosoygnable en poynt de ore." [*Pat. Roll*, 25 *Ed.* I. *p.* 2, *m.* 7.]

[2] This, it may be remembered, was the main point at issue between the king and the earls constable and marshal (p. 199).

[3] *Bartholomæi de Cotton monachi Norwicensis Historia Anglicana* (ed. Luard), 1858, 8vo. page 327.

admitted by *Edward* in general terms, and specifically in the matter of heavy and frequent taxation, the earls and their adherents believed themselves justified in formulating the grievances[1] felt by the prelates, by themselves, and by the whole commonalty of England ; and in sending them fairly written out for delivery by their own messengers to the king at Winchelsea. They put forward (amongst many other things) the non-observance of the Great Charter, and also complained of the tax laid upon wool at forty shillings the sack, which was not only grievous but illegal, inasmuch as the king was properly entitled to no more than the custom of half a mark upon every sack of wool, as granted to him in his first parliament (p. 157). *Edward*'s reply was, that he could not answer the messengers without his council, some of whom were absent in London, and others elsewhere ; and he ended by entreating the earls at least to do no mischief to the kingdom in his absence, for he hoped by the favour of God to return, and then everything should be put in due order to their content. This postponement of the reforms, which were required instantly, served to harden the earls and their party ; and they resolved to do all in their power to get rid of the hateful impost, which was to be levied upon them in the coming month of September.

Accordingly on Thursday (22 Aug.) before the feast of S. *Bartholomew* at the hour of tierce (nine *a.m.*) the earl marshal, the earl of *Hereford*, *Robert fitzRoger*, *Alan la Zouche*, *John* de *Segrave*, *Henry le* (*alias* de) *Tieys* and *John Luvel*, accompanied by many other bannerets and knights, went to the exchequer at Westminster, and protested against the levy of the Eighth. The earl of *Hereford* said that he was charged by the earl marshal and others then present, as well as by the whole commonalty, clerks and laymen, to say, that by two things they were aggrieved. One of these recited certain grievances which had been already shown in Articles sent to the king ; the other arose out of the levy of an Eighth and the prise of wools. In the writs issued for the Eighth, the tax was stated to have been granted by the earls, barons, knights and commonalty of the realm, whereas[2] no such grant had been

A.D. 1297. 22 Aug.

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[1] These "injuries and grievances" are given, in an *English* translation from the text of *Walsingham*, by *Dr. Brady* in his *History*, ii. 57, 58, together with the result. *Walsingham* (who lived as late as the reign of *Henry* the Fifth) copied the "*nocumenta*," word for word, from *Trivet*. Compare his *Ypodigma Neustriæ* (ed. Riley), 207, with *Nic. Triveti Annales* (ed. Hog), 361; but the recital of the latter is a *Latin* translation only. The articles of the petition (for such it was) were really written in *French;* and the form, in which they were actually submitted to the king, is given at length by *Hemingford* [*Chronicon Walteri de Hemingburgh* (ed. Hamilton), ii. 124].

[2] "la ou le dit utime par eaux ne par la dite comunuate unqes ne fut grante." See before (p. 199) for the terms of the writ cited by the earl constable.

made by them ; and he averred that, if such a levy were collected, th fact would turn hereafter to the prejudice of themselves and their heirs for to tax them at will was to reduce them to a state of serfdom. H concluded by openly declaring—in which avowal he was followed by al present—that such tax and prise of wools were intolerable, and that they would not permit these imposts to be laid in any wise. Demanding tha redress should be given, they then departed without waiting for ar answer. Thereupon the acting treasurer (*tenens locum thesaurarii*[1]) and barons wrote to the king, relating what had taken place, and desired to know his will in the matter, despatching their letter, written at once on that Thursday, by *Robert Divelyn*, usher of the exchequer. *Edward* had gone on board his ship at Winchelsea the very same day[2] (22 Aug.), but before he left port the messenger arrived. The king after due consideration sent his answer, dated on the following day (23 Aug.) at Winchelsea to this effect. As to what the earls and their companions had said about not suffering the levy of the Eighth or the prise of wools to be carried out, he commands the barons to go on with the Eighth in the form laid down; but, because the malcontents alleged that the levy might be used hereafter to their prejudice and disherison, proclamation is to be made in all counties, that any one still in doubt can have letters patent, declaring that the collection of this Eighth shall not so be turned, or drawn into any precedent in time to come. The chancellor, under the seal kept for use during the king's absence abroad, and the barons, under the exchequer

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[1] This letter (with others cited in the text) is inrolled among the *Memoranda* (of both Remembrancers), *Q.R.* (n° 21) 25 *Edw.* I. *m.* 120, *L.T.R.* (n° 26) 24 & 25 *Edw.* I. *m.* 55 d. ; from which it has been rather imperfectly printed in Sir *John Maynard*'s Year-book of *Edw.* II. under the title, " Les Reports des Cases Argue et Adjudge in le Temps del Roy Edward le Second, Et auxy Memoranda del' Exchequier en Temps le Roy Edward le Primer . . . remanent en les mains de Sir JEHAN MAYNARD Chevaler," &c. London, 1678, folio.

[2] See the " Memorandum " printed in *Fœdera*, i. 876, and stating the fact that on this day he was ready for the voyage (*paratus ad transfretandum*). The vessel in which *Edward* now embarked, called here ' Cog Edward,' must have been the *Cog Saint Edward*, *John Pate* master, which hailed from Winchelsea, and was one of the fleet of ships furnished by the *Cinque Ports* for the conveyance of *Edmund* the king's brother to Gascony, as his lieutenant in the war between *Edward* and the king of *France*. This fact is learnt from the particulars of wages due for the vessels so employed from the 7th of March 24th year (1295-6) to Ascension-day following (3 May 1296), for fifty-eight days, in which they were with *Edmund;* and for fifteen days occupied in returning to England. See the list, showing the sums to be paid (in excellent condition, well and clearly written), in *Exch. Q.R. Memoranda* (30), 34 *Edw.* I. *m.* 38.

seal, are to cause to be made, for those who wish to purchase them, such letters as seem sufficient in their united judgment. As to the prise of wools, the ordinance already published is to hold good, for he wishes to take or have nothing without payment.[1]

On the next day (24 Aug.) *Edward* was at sea off Dover, as appears by a letter sent to his son. As to the interference by the two earls and their abettors, he orders public proclamation to be made throughout the counties of England, and especially in the presence of the said earls and to them; that they, and all those who are and wish to be in fealty to himself, allow the levy of the Eighth and the prise of wools to be fulfilled; since they are ordained to meet a need which is so great and so urgent, and for the safety of the king himself, as well as of his whole realm.[2] Proclamation likewise is enjoined in all counties, cities, boroughs and market towns of England, as to the prise of wools, that all persons will be paid at reasonable rates (*en tieu manere quil se deveront tenir appaiez par resoun*). It seems to him (he says) that he ought to be as free to buy wool in his own country as any other person (*E il nous semble qe nous devoms estre auxi fraunks dachatier leynes en nostre pays come un autre*). The ordering of the two proclamations is left to the discretion of his son and his son's council.[3] And whereas (he concludes) conflicting reports may reach him, so that he may not know how much to believe, he desires to be kept frequently informed of the actual truth in these matters, as well as in all other things. Given under the king's privy seal at sea off Dover, the 24th day of August in the 25th year of his reign.[4]

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[1] "E quant a la prise des leynes voloms qe lordenance qui en est faite se tiegne e qe dit soit partot auxi bien par vous come par ceaux qui sen entremettent qe le Roi nen voet rien prendre ne avoir pur nient mais qe par achat . . . Don' souz nostre privee seal a Winchelse le xxiij. iour dAugst lan de nostre regne xxv."

[2] " . . qe vous facez crier e dire solempnement parmy les Countiez Dengleterre, e nomement en la presence des ditz Countes e as Countes meismes; qe eaux, e toutz ceaux qui a nostre foi sount e voelent estre, sueffrent qe la levee e la prise avantdites se facent, puis qe les choses sount ordinees pur la beusoigne qest si graunde e si hastive, e pur la sauvacion de nous e de tut nostre Reaume. E faites ausint defendre, qe nul ny mette empeschement, ne destourbe chose qe seit ordenee pur la sustenaunce de nous qui sumes leur seigneur lige, e de ceaux qui ovesqes nous vont."

[3] "Totes voies nous mettoms le fait de ceste criee en vos discrecions siqele se face sil vous semble qe bon seit."

[4] "E pur ceo qe diverses noveles nous purront venir, de quei nous ne sauriens coment crerre, vous mandoms qe vous nous facez savoir sovent tote la certeinte des dites beusoignes, e de tuttes les autres . . . Don' souz nostre privee seal en la mer devant Dovre le xxiiij. jour dAust lan de nostre regne xxv."

A.D. 1297. The king being still at Winchelsea on the morning of the same day (24 Aug.) had written to the chancellor, commanding him that, with the advice of the barons of the exchequer, he should cause such letters to be made as would suffice to show, that this Eighth should not thereafter turn in any way to the prejudice of the king's subjects. Writing from Robertsbridge to the treasurer and barons of the exchequer, on the morrow of Saint *Bartholomew*'s day (*i.e.* 25 Aug.) the young lord *Edward* sent, by the hands of *William* de *Bliburgh* his clerk, a transcript of his father's letter, which is in these words :—

"*Tenor transcripti predicti talis est.* Edward etc. a nostre chancelier saluz. Nous vous mandoms qe par lavisement de ceaux del Eschekier faciez faire tieux lettres come entre vous verriez qe suffisauntes seient coment lutyme qe nous fesoms taxer parmi le Reaume ne puisse tourner a prejudice ne en desheritaunce de ceaux du Reaume ne de leur heirs ne jammeis apres tret en usage en temps avenir. Le queux lettres nous voloms qe seient sealees du seal de la Chauncelrie dont home deit user taunt come nous serroms la outre. Don' souz nostre prive seal a 24 Aug. Winchelse le xxiiij. iour dAugst lan de nostre regne xxv.

[*Memoranda* (*Q.R.*) 25 *Edw.* I. *m.* 119.]

28 Aug. These instructions were executed by the chancellor a few days after (28 Aug.), and letters patent were issued, by which the king willed and conceded that the grant and levy of the Eighth should not lead to the prejudice, servitude, or disherison of the people, or of any one; or be drawn in any wise into a custom for the future.[1]

Before quitting England, *Edward* had committed the government of the kingdom during his absence to his son (then only thirteen[2] years old), aided by a council, of which a prominent member was *Reginald* de *Grey*, justiciar of *Cheshire*. Writs were within a short time issued in the king's name, with the *teste* of the regent dated at Saint Paul's, London, 15 Sept. 15 September, which—after reciting the letters patent of 28th of August concerning the levy of an Eighth not being drawn into a precedent—enjoined the election[3] throughout England of two knights of the shire, having full power to answer for themselves and the whole commonalty of their county, who were to be at London in eight days from Michaelmas- 6 Oct. day (*i.e.* 6 October); the object of the assembly being to receive charters upon the confirmation of the Great Charter of Liberties and the Charter of the Forest, as well as letters patent upon the grant of an Eighth, and

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[1] "*Volumus et concedimus pro nobis et heredibus nostris quod predicta concessio consensus et levacio octave predicte non cedat nec cedere possit prefato populo regni nostri seu eorum alicui in prejudicium servitudinem seu exheredacionem nec eciam in consuetudinem ullo modo futuris temporibus trahi possit.*" [*Fœdera*, i. 877.]

[2] He was born at Carnarvon on the twenty-fifth of April, 1284.

[3] Printed in *Parliamentary Writs*, I. 56 (12).

to do further what should be ordained by the king's son and his council.[1] The two knights returned for Lancashire were *Henry* de *Kigheleye* and *Henry le Botiler;* as appears by the dorse of the original writ, directed to the sheriff of this county,[2] and preserved among the public records.[3] They found pledges for coming to parliament at the day named—for *Henry* de *Kigheleye*, *Roger* de *Boulton* and *Adam* de *Stodlehurst;* for *Henry le Botiler*, *William* son of *Simon* of Caterhale, and *William Gormond* of the same.

Up to this date (15 Sept.), it is evident from the terms of the writs just cited, that the levy of an EIGHTH was still in contemplation. With this intention the parliament met, and the result of their deliberations was, that on the fourth day following (10 October) the regent attested on behalf of his father a charter, confirming the two charters, granted by the late king *Henry* in the ninth year of his reign (p. 9). This charter, which in the Statute-book goes by the name of *Confirmatio Cartarum*,[4] is in the form here following taken from an original yet remaining in a good state among the *Miscellanea* of the Exchequer :— 10 Oct.

EDWARD[5] par la grace de Deu Rey de Engleterre Seyngnur de Yrlonde e Duks Aquit' a tuz ceus qui cestes presentes lettres verrunt ou orrunt saluz Sachez nous al honur de Deu e de seint eglise e al profit de tut nostre Reaume avum graunte pur nous e pur nos heyrs que la graunt Chartre de Fraunchises e la Chartre de Forestes[6] les queus furrunt fetes par commune assent de tut la Reaume en le tens le Rey Henri nostre Pere seient meintenu en tuz lur poinz saunz nule blemisement E volums que memes celes chartres de suz nostre seal seient enveyez a nos Justices ausi

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[1] *Ita quod sint Londoñ' ad eundem filium nostrum modis omnibus in octabis Sancti Michaelis proximo futur' ad ultimum cartas super confirmacione nostra cartarum predictarum* [i.e. *de libertatibus Anglie et de libertatibus foreste*] *et litteras nostras super dicta concessione pro ipsa communitate in forma predicta recepturi et facturi ulterius quod per dictum filium et consilium nostrum ibidem fuerit ordinatum.*"

[*Close Roll*, 25 *Edw.* I. *m.* 6 dorso]

[2] See *Parliamentary Writs*, i. 58 (26) ; also Prynne's *History of King John*, &c. 736–739, where the returns of the several sheriffs are printed.

[3] *Parliamentary Writs and Returns*, Bundle 1, File 5.

[4] Printed in *Statutes of the Realm*, i. 123, from the STATUTE ROLL, henceforth to be known as "Early Chancery Roll, 868." See page 143 note 5.

[5] Various readings, marked *C.*, which seem to make the text more clear, are given from the *Cotton* charter (see p. 210) in notes.

[6] la foreste *C.*

bien de la Foreste cum as autres e a tuz les viscountes de Countez e a tuz nos autres Ministres e a tutes nos Cites parmi la terre ensemblement ove nos brefs en les quels serra contenu que il facent les avaundites Chartres pupplier e que il facent dire au pople que nous avum graunte a tenir les en tuz lur poinz E a nos Justices viscountes Meyres e autres Ministres que les Leys de la terre de suz nous e par nous unt[1] aguier memes les chartes en tuz lur poinz[2] enpleydez devaunt eus e en Jugement le[3] facent alower cest a saver la Chartre de Fraunchises cum ley commune e la Chartre de la Foreste solum la assize de la Foreste au[4] mendement de nostre pople E volums que si nul Jugemenz seient donez des ormes en countre les poinz des avaundites chartres par[5] Justice ou par autre de nos Ministres qui countre les poinz des chartres tenent plez devaunt eus seient defetes e pur nent tenuz E volums que[6] celes chartres de suz nostre sel seient enveyez as Eglises Cathedrales parmi nostre Reaume e la demurgent e[7] seient deu fez par an luwes devant le pople E que Erch-eveskes e Eveskes doynent sentences de graunte escomenge countre tuz iceus qui countre les avaundit chartres vendrunt ou en fet ou en eyde ou en counseyl ou en nul point enfreind-rent ou countre vendrunt E que celes sentences seient denunciez e puppliez deu[8] fez par an par les avauntdiz prelaz E si memes les prelaz Eveskes ou nul de eus seient necgligent en la denunciacion suz[9] dit fere par les Erch-eveskes de[10] Cant' e de Euerwyke pur[11] tens serrunt sicum ovent seient reqis e destreinz a meme cele denunciacion fere en la furme avaundite E[12] pur ceo que acuns gent de nostre Reaume se doutent que les eides[13] e les mises les quels il nous unt fet avaunt ces[14] oures pur nos guerres e autres bosoingnes de lur graunt e de lur bone volunte e[15] quele

[1] ount a guier *C.*
[2] en pledz *C.*
[3] les facent *C.*
[4] al amendement *C.*
[5] par Justices e par nos autres ministres *C.*
[6] ke meismes celes chartres desouz nostre seal *C.*
[7] e soient deus fiez par an lues *C.*
[8] deux foyz *C.*
[9] susdite *C.*
[10] Caunterbire *C.*
[11] qui pur temps serrount *C.*
[12] E pur coe ke aukune gentz *C.*
[13] aides *C.*
[14] houres *C.*
[15] en quele manere qe fez soient peussent tourner *C.*

manere que fet seient pussunt turner en servage a[1] eus ou lur heyris pur ceo que il serreint autrefez trovez en Roules e ausi prises que unt este fetes parmi le Reaume par nos ministres en nostre noun[2] si avum grauntee pur nous e pur nos heirs que[3] memes celes eydes mises ne prises ne trerrums a custumes pur nule chose que seit fet ou que par[4] Roule ou par autre manere pot estre trove E ausi avums graunte pur nous e pur nos heirs as Ercheveskes Eveskes Abbes Priurs e[5] autre genz de seint Eglise e a Countes e a Baruns e a tut la communaute de la terre que mes pur nule[6] bosoingne de tele manere de eyde mises ne prises de nostre Reaume ne prendrums fors que par commune assent de tute la Reaume e a commune profit de meme le R[e]aume Sauve les[7] auncien eydes e prises duz e custumez E pur ceo que tut le plus de la communaute del Reaume se[8] sentent grevez durement de la Maletout de Leynes cest asaver de chescun sake de Leyn xl. s. eus unt prie[9] que nous lur vousisums relesser Nous a[10] lur prier les avums pleinement relessez e avum graunte que celes ne autres mes ne prendrums saunz le[11] commun assent e lur bone volunte Sauve a nous e a nos heirs la custume des leynes peaus e quirs avaunt grauntez par la communaute del Reaume avaundit. En Temoyne des quels choses nous avums[12] fet cestes nos lettres overtes.[13] Temoyne Edward nostre fiz a Lundres le dyme Jour de Octobre le An de nostre Regne xxv.

Nullum tallagium &c. (p. 219)

10 Oct. 1297.

[*Exch. Treasury of Receipt. Miscellanea* $\frac{58}{8}$]

So little has the importance or value of this charter been understood by the official appointed to examine the document that, upon the

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[1] a eux e a leur heyrs *C.*
[2] noun avums graunte *C.*
[3] que mes teles aydes mises *C.*
[4] par Roulle ou en autre manere pust estre trovee *C.*
[5] e as autres gentz *C.*
[6] busoignie tieu manere des aydes mises *C.*
[7] les aunciennes aydes e prises dues e coustumees *C.*
[8] se sentent durement grevez de la male toute des leynes *C.*
[9] e nous unt prie *C.*
[10] a leur priere *C.*
[11] leur commun assent *C.*
[12] fait faire *C.*
[13] After *overtes* in *Cotton Charter*, VII. 9—"Donees a Gaunt le quint iour de Novembre lan de nostre regne vintisme quint."

paper which covers the parchment when folded, he has written this description :—

25 Edw. I.

"Charter [written over *Proclamation* struck out] of King Edward, that he would maintain certain Charters of liberties, take no 'aids' without the common assent of the realm &c."

Not a word as to any connexion with a statute, or a hint as to the occasion on which it was made. By way of further illustrating the little assistance one gets where it might naturally be expected, take "another place." Here the compiler of the Catalogue[1] has quite failed to see anything suggestive of inquiry on his part. He has even misread the regnal year—this is pardonable, considering that the document has been injured by fire (as mentioned below)—and shows his want of acquaintance with the fact, that this charter, which bears the attestation of *Edward* I. at Gaunt, dated 5 Nov. in the 25th year of his reign, had been printed at length in the year 1759 by *Blackstone* (*The Great Charter*, &c. p. 80), with an Introduction, in the course of which the editor remarks (lxiii)—"This original charter of king Edward is still extant among the Cotton charters in the British Museum[2] . . . but the seal is entirely gone. It was considerably shrivelled by the fire *A.D.* 1731; but, as the whole is still legible, though in some parts with difficulty, it was judged proper to take the following copy from this the most authentic original." Of this historical charter the compiler has no more to say than in the following words :—

"Cott. Ch. vii. 9.

Confirmation by Edward I., King of England, of the Charter of Forests and 'Chartre des Franchises, les queles feurent faites par commun asent de tout la Roiaume en le temps le Roi Henry nostre Pere.' Dat. Gaunt [Ghent], 5 Nov. 20 Edw. I. [1292]. *French.*"

The points gained by this *Confirmatio cartarum* are thus laid down by *Blackstone* :—

"This charter not only re-establishes the two charters of king Henry, but provides for their effectual publication; and particularly directs the great charter to be allowed in all points as the common law of the land. It declares all judgments contrary to them to be utterly void; and ordains them to be read twice a year in all cathedrals, and sentence of excommunication to be as often denounced against all that endeavour to infringe them. At the end it is provided, that such aids as had been given to the king in times of public necessity, in whatever manner they were raised, should not be drawn into a precedent; and that no such manner of aids should be taken for the future, unless by the common assent of the whole realm; with an exception to those which were

[1] *Royal Rolls; Cotton Charters and Rolls; Sloane Charters and Rolls; Harley Rolls.* British Museum *MS.* large folio.

[2] Here in a note, "*Locul.* 7, *num.* 9."

antiently due and accustomed. A release is also subjoined of the new tax of forty shillings on every wool-sack exported, . . . which imposition was commonly known by the name of the *male-toute*." [*The Great Charter*, &c. Introduction, lxiii. lxiv.]

The inrolment in the *Statute Roll*[1] (which roll I have had the curiosity to examine for myself), immediately after the *French* charter, similar to that printed above (p. 207) and attested 10 October by the young *Edward*, has a memorandum (in a new line), that this same charter in the selfsame terms, word for word, was sealed in Flanders with the king's great seal[2] at Gaunt, on the fifth day of November in the twenty-fifth year of his reign, and sent to England. Thus the charter in the *Cotton* collection is seen to be the very charter described in these *French* words :—

" E fet a remembrer qe meisme ceste chartre suth meismes les paroles de mot en mot fust sele en Flaundres de suth le graunt seal le Rey cest asaver a Gaunt le quint jour de Novembre lan del regne lavantdit nostre seignur le Rey vintisme quint e envee en Engleterre." [*Statute Roll*, n° 1, *m.* 38.]

Both charters (of Liberties and of the Forest) were recited by *Inspeximus*, and confirmed in the king's name, with the *teste* of his son at Westminster on the twelfth of October.[3] The *Inspeximus* (still preserved in the town-clerk's office at Guildhall), sent on this occasion to the sheriffs of London, and the writ (thereto attached) commanding the immediate proclamation of the Great Charter in the city of London, and its firm and inviolable observance in all its articles, are printed in *fac-simile* in *Statutes of the Realm*, i. between pages 32 and 33 of " Charters of Liberties." The GREAT CHARTER of Liberties granted by *Hen.* III. is recited at length, with words added after the date (see p. 12)—*Dat' apud Westm. xj° die Febr' anno regni nostri nono*—in which it is expressly provided that this Charter shall be kept, even if any articles contained

12 Oct. 1297.

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[1] *Statute Roll, Edw.* I. II. III. n° 1 ; now (Nov. 1890), I am informed, made one of a series, and called " Early Chancery Roll, 868." See p. 143, note 4.

[2] *Hemingford* is therefore wrong, when he says that this writing was sent to the king in Flanders, that he might set to it his privy seal (*ut sigillum suum secretum apponeret, magnum enim sigillum cum filio regis remanserat*), for the Great Seal had remained with the king's son. [*Chronicon Walteri de Hemingburgh* [*vel* Hemingford], ed. H. C. Hamilton, ii. page 152.] Allusion was made by *Edward* himself (p. 204) to the seal which was to be used in Chancery during his absence abroad. Moreover, what that seal was may be seen by referring to *Statutes of the Realm*, i. between pp. 32 and 33, under " Charters of Liberties," where it is engraved.

[3] *Statute Roll, Edw.* I. II. III. n° 1 (as above, note 1), *mm.* 40, 39. See *Statutes of the Realm*, i. 114, 120.

therein have perchance not hitherto been observed. This is the addition:—[1]

"*Nos autem donaciones et concessiones predictas ratas habentes et gratas eas pro nobis et heredibus nostris concedimus et confirmamus easque tenore presencium innovamus Volentes et concedentes pro nobis et heredibus nostris quod Carta predicta in omnibus et singulis suis articulis imperpetuum firmiter et inviolabiliter observetur eciam si aliqui articuli in eadem carta contenti hucusque forsitan non fuerint observati. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste Edwardo filio nostro apud Westm. duodecimo die Octobris anno regni nostri vicesimo quinto.*"

12 Oct. 1297.

In the writ above alluded to (p. 211), as attached to the *Inspeximus*, mention is made of a NINTH having been granted by the laity in aid of defending the kingdom; in return for which grant the king had renewed and confirmed the Great Charter of Liberties. The command (after willing its strict observance) for publication then follows; as may be seen in the following transcript :—

Edwardus Dei gracia Rex Anglie Dominus Hibernie et Dux Aquitanie vicecomitibus London' salutem Quia in relevacionem omnium incolarum et populi regni nostri pro nona nobis a laicis de regno nostro in subsidium defensionis ejusdem regni concessa concessimus et confirmavimus pro nobis et heredibus nostris magnam cartam de libertatibus Anglie eamque innovavimus volentes et concedentes quod carta illa in omnibus et singulis suis articulis firmiter et inviolabiliter observetur vobis precipimus quod cartam predictam in Civitate predicta sine dilacione pupplicari et eam in omnibus et singulis suis articulis quantum in vobis est observari faciatis firmiter et teneri. Teste Edwardo filio nostro apud Westm. xij. die Octobris anno regni nostri vicesimo quinto.

[*Statutes of the Realm*, i. 36.]

Writs, similar in tenor to the foregoing, were directed to all the sheriffs; commanding the publication and observance of both charters in counties which contained any of the king's forests, but of the Charter of Liberties only in such as had no forests. On the same day (12 Oct.) the regent issued letters[2] of general pardon for the two earls and their confederates; and he, with the entire members of his council, engaged to obtain the king's confirmation of the same, which was afterwards given (together with the *Confirmatio cartarum*) at Gaunt, under date of the fifth of November.

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[1] The same addition, word for word, down to *quinto*, is found in the *Statute Roll, Edw.* I. II. III., and may be read in the printed *Statutes of the Realm*, i. 119.

[2] See the letters (*French*) printed in *Parliamentary Writs*, i. 62 (41); also *Statutes of the Realm*, i. 124, for the king's pardon, dated 5th Nov. 1297.

On the 14th of October the king's son, by letters patent, bearing date at Westminster and issued in his father's name,[1] informed the knights, free tenants and commonalties of the several counties, that the prelates, barons, knights and others—excluding cities, boroughs and royal demesnes—had granted a Ninth of their moveable goods (with such exceptions as were named in the form of taxation) for the renewal and confirmation of the Great Charter of Liberties and Charter of the Forest, granted by the late king *Henry*. He had therefore assigned taxors, appointing *John Gentyl*, *Hugh* de *Clyderhau* and the sheriff of *Lancashire*, who were to assess, tax, levy and collect the Ninth in this county, and to pay the money at the exchequer, or elsewhere, as might be commanded; one moiety on the morrow of S. *Nicholas* next (7 Dec. 1297); the other, on the morrow of the Purification B.V.M. (3 Feb. 1297-8) following.

The form drafted for the Eighth was altered and adapted to the new levy; as may be seen by the *Memoranda*,[2] in which the requisite interlineations, underscorings of words and other alterations have been made. Thus, the sentence, "les chiefs taxours e quilleurs facent lever e quiller le utime e le quint en la fourme que leur est baille depar le Roi," is made to read, "les chiefs taxours e quilleurs facent lever e quiller hastivement le neovyme a paier al eschequer as jours assignez."

Form of taxing the Ninth.

In every county there are to be two chief taxors and collectors; and they shall cause to be elected in every town four persons or two, more or less, according to the size of the towns, who are trustworthy, responsible, and capable of making the assessment there. If such be not found, then others to be elected in the nearest towns who are most lawful and capable. Those persons so elected shall be sworn that they will lawfully assess and tax all the goods which every one had in the field, house, or elsewhere, on Michaelmas-day last (29 Sept. 1297). They shall value and set down in a roll all the parcels and sums, and deliver that roll under their seals to the chief taxors, retaining with themselves a transcript under the seals of the last named, in order to levy the money. The two chief taxors shall go from hundred to hundred, and from town to town, to see and inquire if the goods of every one have been lawfully assessed and taxed according to right and reason. If they find that any goods have been eloigned, or concealed, these shall be taxed like the others; and they shall make known to the treasurer and barons of the exchequer the names of those who have trespassed against their oath. The goods of those employed in taxation shall be taxed by lawful men of the neighbourhood who shall be sworn by the chief taxors; and these last shall have their goods taxed by the treasurer and barons of the exchequer. As soon as the taxation is made, the chief taxors shall cause

[1] Printed in *Parliamentary Writs*, i. 63 (43).

[2] *Exchequer, Q.R. Memoranda* (n° 21), 25 *Edw.* I. *m.* 119.

the Ninth to be levied and collected as quickly as possible. The goods of clerks not annexed to their churches are to be included, as well as those of villains of prelates, religious men and other clerks, whosoever they may be. The exceptions are to be as before:—armour, riding-horses, jewels and robes of knights, gentle men and their wives; also their vessels of gold, silver and brass. The goods of lepers under the government of one who is a leper, shall not be taxed or valued; but when they are governed by a sound master, their goods are to be taxed like those of other persons.[1] The goods of no one to be taxed to the Ninth, if they do not amount to nine shillings or more. As soon as the assessors in the towns shall deliver their rolls to the chief taxors, these shall have them transcribed, and retaining the transcripts, shall cause the rolls to be put together by hundreds, and then send them quickly under seal to the treasurer and barons of the exchequer, because this business is so urgent for the defence of the whole land, whereby it follows that the levy should be more hastened than at any previous time. The chief taxors shall take the king's money as current in the realm by tale, and not by weight. And[2] for this grant and gift made to the king, he has for him and his heirs renewed and confirmed the Great Charter of Liberties and the Charter of the Forest. [*Exch. Q.R. Memor.* (21) 25 *Edw.* I. *m.* 117.]

No citizens or burgesses were summoned to this parliament (of 6 Oct. 1297) by the writs of 15 Sept. (p. 206). Afterwards, because the citizens and commonalty of London had granted a Ninth of their moveable goods, it was ordained by the council, that the taxors who had been appointed in counties should also tax and cause the Ninth to be levied in cities, boroughs and royal demesnes. Thereupon commissions[3] dated 23 October, were directed to these persons who were required to observe in all points the form of taxation delivered to them, but to allow in cities, boroughs and market towns the exceptions so often before particularized in detail (pp. 178, 182, 192, note 4). The terms, used in assigning taxors in the city of London for the Sixth (p. 182), were again employed,[4] *mutatis mutandis*, in the case of the Ninth, the writ bearing date also the 23rd of October.

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[1] This leper clause, though not noticed hitherto by me in the abstracts before made, is found in the forms of taxation previously given. The words are :—"E les biens des meseaux la ou il sount governez par sovereyn meseal ne seient taxez ne prisez E sil seient meseaux governez par mestre seyn seient leur biens taxes come des autres gentz."
[*Parliamentary Writs*, i. 63 a.]

[2] E pur cest graunt e doun fait au Rei ad nostre seign[r] le Roi renovele e conferme la graunt chartre des fraunchises e la Chartre de la Forest pur lui e pur ses heirs." [*Parliamentary Writs*, i. 63 a.]

[3] See the series printed in *Parliamentary Writs*, i. 64 b, from the dorse of the *Patent Roll*, 25 *Edw.* I.

[4] *Exch. Q.R. Memoranda* (n° 22), 26 *Edw.* I. *m.* 121.

The Accounts of the Ninth collected throughout England are attached to the *Pipe Roll*, 26 *Edw.* I. So much as relates to Lancashire is here extracted, preceded by the general heading :—

COMPOTUS None Regi E. filio Regis H. per Archiepiscopos Episcopos Abbates Priores Comites Barones Milites et omnes alios de Regno de omnibus bonis mobilibus suis anno xxv^to^ ejusdem Regis E. eoncesse pro innovacione et confirmacione Magne Carte ejusdem Regis H. de libertatibus Anglie et eciam pro confirmacione Carte ejusdem Regis H. de foresta habend' sicut patet infra singulos Comitatus Regni.

* * * * *

NC' Johannes le Gentil et Hugo de Clyderhou assessores et collectores none Regi de bonis temporalibus in Com. Lanc. concesse per breve Regis patens reddunt compotum de CCCC. lij. li. xj. s. viij. d. ob. q^a^ de eadem Nona in predicto Com. sicut continetur in Rotulis de particulis quos iidem collectores liberaverunt in Thesauro. In Th'o nich. Sed non debent su[m]moneri de ix. s. qui sunt de Nona propriorum bonorum Abbatis de Croxton' in manerio suo de Lek' de quibus iidem collectores onerantur supra in summa sicut continetur in R. de particulis per breve Regis eisdem collectoribus directum in quo cont' quod de bonis ejusdem Abbatis taxandis seu levandis supersedeant eo quod prelati et alii de clero Regni de bonis suis decimam dant in subsidium defensionis ejusdem Regni et si quid bonorum ejusdem levaverint occasione None predicte restituant eidem Proviso tamen quod bona villanorum suorum taxentur et leventur ad Nonam predictam.[1] Nec de xlj. s. vj. d. ob. qui sunt de Nona propriorum bonorum Abbatis de Whalleye in grangiis suis de Gerston' *etc.* Et debent CCCC. xlix. li. vj. s. ob. q^a^. Iidem reddunt compotum de eodem debito. In Thesauro nichil Et magistro Ric'o de Abyndon' receptori denariorum Regis in partibus Cumbrie ad expensas municionis Regis et defensionis parcium predictarum inde faciend' CCCC. xxxvj. li. xiij. s. iiij. d. per breve Regis in quo continetur quod iidem

[1] Here should follow (as appears in other counties) the words ;—"que taxantur sicut continetur in Rotulis de particulis."

collectores omnes denarios de dicta Nona provenientes predicto magistro Ric'o ad mandatum Roberti de Clyfforde capitanei municionis predicte liberent et duas litteras patentes predicti magistri Ric'i recepcionem dictorum denariorum testificantes et per duas litteras clausas predicti Roberti dictis taxatoribus super hoc directas de quibus denariis idem magister Ric'us respondet infra. Et debent xij. li. xij. s. viij. d. ob. q^{a}. Iidem reddunt compotum de eodem debito. In Th'o nich' Et eisdem Joh'i et Hugoni pro misis et expensis quas fecerunt circa colleccionem predicte None et denariis inde provenientibus cariandis usque Karliolum per duas vices C. s. Et debent vij. li. xij. s. viij. d. ob. q^{a}. Sed respondent in Rotulo xxviij. in Lanc.'

Magister Ric'us de Abyndon' receptor denariorum Regis in partibus Cumbrie [*blank*] CCCC. xxxvj. li. xiij. s. iiij. d. recept' de Joh'e Gentyl et Hugone de Clyderhou taxatoribus et collectoribus None in Com. Lanc. sicut supra continetur sed resp' in Lanc' in Rotulo xxviij.

[*Pipe Roll*, 26 *Edw.* I. Rotulo compotorum]

[*In dorso*] Compotus None Regi concesse anno xxv^{o}. tam per prelatos quam per laycos regni de bonis suis mobilibus per omnes Comitatus Anglie.

COMPARATIVE TABLE OF RECEIPTS OF THE NINTH

County	TOTAL £.	s.	d.
1. NORTH OF TRENT[1]			
LANCASTER	449	6	0¾
Northumberland	159	17	0
Westmoreland	182	6	2¼
York: N. Riding	658	16	2
2. SOUTH OF TRENT			
Essex	1,389	4	0½
Hereford	799	5	8
Kent	3,012	2	8½
Middlesex	350	0	10½
Norfolk	2,886	16	8
LONDON City	1,221	19	5

[1] The return for Cumberland has been cancelled here, and rendered in a later roll. The other two Ridings of Yorkshire do not appear.

Notwithstanding the word "*decimam*" (tenth), used (p. 215) at the sign ☞, the province of *York* (in which Lancashire is situate), as being nearer the danger of invasion by the *Scots*, granted a fifth of their goods towards the defence of the kingdom; as may be seen by the extracts hereunder following. The province of *Canterbury* granted a TENTH for the same purpose.

EBOR'. De denariis quinte levandis — *Mandatum est iiij^to die Julii vicecomiti Ebor' quod fieri fac[eret] de bonis et catallis abbatis de Coverham, vj. li. xij. s. Et de bonis et catallis Sancti Albani in Norton' ij. s. x. d. De bonis etc. abbatis de Fontibus xxix. li. xvij. s. iiij. d. quos Regi debent de arreragiis quinte Regi in defensionem regni sui a clero concesse in Comitatu predicto Ita etc. in crastino Sancte Margarete prox' futur' Teste P. die et anno supradictis. Per rotulum visus comp' ejusdem quinte.* A.D. 1298. 4 July.

LANC' De eodem — *Et eodem die mandatum est vicecomiti Lanc' quod de bonis etc. abbatis de Staunlawe fieri fac' vij. li. x. s. iiij. d. De bonis etc. prioris de Norton' xvj. s. De priore de Penewortham viij. s. De bonis etc. abbatis de Furneys lxij. s. Et de abbate de Dieulacrese xxiiij. li. xij. s. quos Regi etc. ut supra Ita etc. ut supra. Teste etc. ut supra. Per rotulum visus comp' ejusdem quinte.*

[*Exch. L.T.R. Memoranda* (22), 26 *Edw.* I. *m.* 118]

Statute
de tallagio non concedendo.

BLACKSTONE[1] has discussed the question, whether this statute "was "really a separate thing from this confirmation [*i.e.* the above-cited "*Confirmatio cartarum*] enacted in the parliament at London, "and afterwards confirmed at Ghent; or whether it was only an "abstract of it in another language." He concludes that "there "seem to be strong reasons for supposing it only a kind of abstract "or translation by a cotemporary hand; which probably was inserted "at the end of the great charter in the register of some monasteries, "whence it was transcribed by Trivet and Hemingford, who "are copied by Knyghton and Walsingham." It happens that the explanation is very much more simple, if we content ourselves with taking the histories of the two first-mentioned writers as they stand.

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[1] THE GREAT CHARTER, &c. Introduction, lxv.

Those of *Edward*'s council who remained in England, seeing grav peril to the state from the troubles in Scotland, as well as from seditio at home, which compelled the king's son to stay for safety within th city of London, urged the latter to send for the earl marshal[1] and ea constable with a view to reconciliation. Letters were thereupon[2] sen requesting them to attend the parliament (p. 206) summoned to mee on the sixth of October. The two earls came to London, but in grea force ; accompanied by fifteen hundred[3] armed horsemen, and a larg body of choice foot. They refused to enter the city, unless they had th power of placing their own guards at all the gates, for fear that othe wise they might be penned up like sheep in a fold. Upon their reques being granted, they entered ; and after much debate, in which archbisho *Winchelsea* acted the part of a mediator, there was no form of peace t which they would agree other than that the king should renew an confirm the two charters, with certain articles added to the Grea Charter, namely ; that no aid or tax should in future be asked or require from the clergy, or people, without the will and assent of the magnates and that all displeasure or animosity against themselves, and all asso ciated with them, should be remitted. This was agreed to, and draw up in the *French* form, above cited (p. 207) under the name of *Confirma tio cartarum*.[4] The writing (as before seen, p. 211) was sent to th king in Flanders and sealed by him. At the same time there were als conveyed to *Edward* transcripts of the Great Charter and Charter o the Forest, with the under-written articles inserted at the end of th Great Charter, that he might in like manner seal them. Here are th actual words of *Hemingford* :—

" Missumque est idem scriptum ad regem in Flandriam ut sigillun suum secretum apponeret, magnum enim sigillum[5] cum filio regi remanserat. Missa etiam sunt transcripta Magnæ Cartæ et Cartæ d Foresta *cum subscriptis articulis in fine Magnæ Cartæ insertis*, ut e similiter consignaret (ii. 152).

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[1] *Humfrey de Bohun* earl of *Hereford* and *Essex*, lord high constable *Roger Bigod* earl of *Norfolk*, marshal of *England*.

[2] In point of fact the writs, issued on this occasion and dated 9 Sept 1297, required their personal presence at London on the morrow o Michaelmas-day (or 30 Sept.), for deliberation (*colloquium et tractatum* with the regent and his council prior to the parliament then about to be holden. [*Parl. Writs*, i. 56 (11)]

[3] This number has been whittled down to *five hundred* by *Knighton* (ed. Lumby, i. 389) who has omitted the word "*mille*" in copying from *Hemingford*.

[4] This is the narrative of *Hemingford* [*Chronicon Walteri de Heming burgh* (ed. Hamilton), ii. 147] ; and it substantially agrees with *Trivet*'s history [*Nic. Triveti Annales* (ed. Hog.), 366] of the earls' demands.

[5] It has been before (p. 211, note 2) pointed out that this is a mistake The Great Seal did not remain with the king's son.

Observe not the *French* charter only, but also transcripts of the two charters (of liberties and the forest) so often referred to. Now, as these last were in *Latin*, it was obviously necessary that any additions to either should be in the *same* language. To the GREAT CHARTER (as above read) certain articles were to be added (inserted at the end); and the historian proceeds to set them forth under the heading—

"*Articuli inserti in Magna Carta.*"

Trivet's account is very similar, but more condensed. What he says (turned into *English*) is this :—"While these things were being done by the *Scots*, the king's son was persuaded by his council to send for the earl of *Hereford* and the earl marshal, and, if at all possible, to conciliate them. They, so coming upon request made, would agree to the form of peace under-written, and to none other: That the king should renew and confirm the Great Charter with certain articles added, and the Charter of the Forest; that he should hereafter demand no aid or tax from clergy or laity without the assent of a general council; and that he should discard all offence against the earls and their confederates. The Articles added to the Great Charter are these (*Articuli adjecti ad Magnam Chartam sunt isti*).

Manifestly both writers mean, and can mean, nothing but that the *Latin* articles which both then proceed to quote, were to be appended to the Great Charter of Liberties, originally granted by the king's father in the ninth year of his reign. These are as follows :—

Nullum tallagium vel auxilium per nos vel heredes nostros de cetero in regno nostro imponatur seu levetur sine voluntate et assensu communi archiepiscoporum episcoporum et aliorum prelatorum comitum baronum militum burgensium et aliorum liberorum hominum in regno nostro *Nullus minister* etc.

* * * * * *

Remisimus eciam Humfrido de Bown comiti Hereford' et Essex' constabulario Anglie Rogero Bygot comiti Norff' marescallo Anglie et aliis comitibus baronibus militibus armigeris Johanni de Ferrariis ac omnibus aliis de eorum societate confederacione et concordia existentibus necnon omnibus xx^ti^ libratas terre tenentibus in regno nostro sive de nobis in capite sive de alio quocunque qui ad transfretandum nobiscum in Flandriam certo die notato vocati fuerunt et non venerunt rancorem nostrum et malam voluntatem quam ex causis predictis erga nos habuimus . . In cujus rei testimonium presenti carte sigillum nostrum est appensum una cum sigillis archiepiscoporum episcoporum comitum baronum et aliorum qui sponte juraverunt quod tenorem presentis carte quatenus in eis est in omnibus et singulis articulis observabunt et ad ejus observacionem consilium suum et auxilium fidele prestabunt in perpetuum. *Chronicon Walteri de Hemingburgh* (ed. Hamilton), ii. 152-154]

(A) It is seen upon comparison with the *French* charter (p. 209) that the clause *Nullum tallagium* &c. is practically the same, but more clearly and simply expressed in this *Latin* version, which was probably

written by the archbishop (*Winchelsea*) of *Canterbury* under the ear direction, and at their prompting or instigation.

(B) The king had pardoned the constable (*Bohun*) and marsha (*Bigod*) with their confederates by a separate charter on the same da (5 Nov.) as that on which he allowed and ratified the *French* charter confirmation. Witness the following extract:—

"*Nous regardantz . . . releissoms e perdonoms pleinement ditz contes e a Johan de Ferers e a toutz leur menengs e toutz leur ali tote manere de rancour e de indignacion qui nous avoms conceu vers e si nule ensoit par les enchesons avantdites ou nule de eles Issint qe nul ditz contes . . . ne soient chalengez encheisonez ne grevez par no ne par nos heirs pur nule des choses avantdites . . . Donees a Gau le quint jour du Novembre lan de nostre regne vintisme quint* [*Statutes of the Realm*, i. 124]

Such being the ample terms of *Edward*'s pardon, the constab (*Bohun*) acted thereafter in perfect good faith towards both the king an his son. Having been summoned by writ,[2] dated 26 Sept. to do milita service in person against the *Scots*, he proceeded to obey—if not at onc certainly after obtaining the pardon above named—as proved by man records, some of which are here cited in order of date.

A.D. 1297. Dec. 12 Going to Scotland by the king's command, *Humfrey de Bohun* ha letters of attorney to last till Easter following (*i.e.* 6 April 1298).

Dec. 14 He has also for the same reason letters of protection (from suits a law, &c.) for the same period. [*Chancery Roll*, 754, *m.* 3.]

Dec. 18 *Walter* de *Agmondesham* is commanded to pay wages to the on hundred *Welshmen* led by *Humfrey de Bohun* earl of *Hereford* an *Essex*, constable of *England*, against the *Scots* (*ad expedicione faciendam contra Scotos rebelles et inimicos nostros*).

Dec. 19 Out of the money coming from the subsidy granted by the clergy o the province of *Canterbury*, *Bohun* is to receive pay for three month amounting to £1,384 10*s.* for himself and ninety fully armed an equipped horsemen. [*Exch. Q. R. Memoranda*, 26 *Edw.* I. *m.* 106.]

1298. April 1 [3] Being in Scotland, he has further letters[4] of protection till the feas of *S. John Baptist* following (24 June 1298).

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[1] *Edward* here calls them "our beloved and faithful"—"nos amez feaux Humfrey de Bohun conte de Hereford e de Essex e conestabl Dengleterre e Roger Bygod conte de Norff' e mareschal Dengleterre. [*Statutes of the Realm*, i. 124]

[2] Printed in *Parliamentary Writs*, i. 317 (2) from the *Close Roll* o 26 *Edw.* I.

[3] *Edward*, on his return from Flanders, landed at Sandwich o Friday, 14 March 1297-8. [*Pat. R.* 26 *Edw.* I. *m.* 23.]

[4] "Humfridus de Bohun comes Herefordie et Essexie qui in obsequi Regis per preceptum Regis in partibus Scocie moram facit habet littera Regis de proteccione duraturas usque ad festum Nativitatis sanct Johannis Baptiste *etc.* Teste Rege apud Westm. j. die Aprilis."

[*Chancery Roll*, 754, *m.* 2.]

Edward, intending to be at York on the feast of Pentecost (25 May) for the purpose of holding a consultation upon public affairs, directed *Bohun* (with the earl marshal and others) to be there in person on the eve (24 May) of that feast, and commanded him to leave his men at arms in the town of Berwick for its safeguard during his absence. April 10

[*Close Roll*, 26 *Edw.* I. *m.* 12 (schedule)]

Being about to return to Scotland in the king's service, *Bohun*'s protection was renewed up to Christmas following (25 Dec. 1298). May 28

[*Chancery Roll*, 754, *m.* 8.]

Those in his (*Bohun*) suite, or going to join him in Scotland, had also letters of protection, dated at intervals from the 13th of January (1297-8) up to almost the eve of the battle of Falkirk (fought on 22nd July) the 18th of July following. [*Chancery Roll*, 754, *mm.* 3, 2, 1, &c.] July 18

The foregoing outline clearly proves that *Edward* could have had no ill-feeling whatever towards the constable, even though at York, in concert with others, *Bohun* demanded confirmation of the charters on the ground that, being sealed in a foreign country, they ought now to be formally renewed and ratified in England. The king, by the oath of others pledged in his name, undertook to do this upon his return, after gaining victory[1] over the *Scots*. The constable and marshal are found at the battle of Falkirk in the vanguard[2] of the *English* army, led by *Henry de Lacy* earl of Lincoln ; and in the same division were *Humfrey de Bohun* the son, *Robert fitzRoger*, *John* de *Segrave*, *Alan la Zouche*, *John Lovel*, *Nicholas* de *Segrave* and *Henry* de *Tyes*, those very bannerets who were confederates of *Bohun* and *Bigod*, and constituted that party of malcontents who flouted the barons of the exchequer (p. 203) on the 22nd of August 1297, and so imperiously refused to allow the levy of the Eighth, or the prise of wools to be taken.

(B) The particular mention of *Humfrey de Bohun* by name (*Remisimus eciam Humfrido de Bown comiti Hereford' et Essex' constabulario Anglie*) proves that the date of this supposed statute must be earlier than the thirty-first of December 1298, on which day the earl died at his manor of Pleshey in Essex : as found by the inquisition (27 *Edw.* I. n° 142) taken after his death at Walden[3] in that county on Saturday (24 January 1298-9) before the feast of the Conversion of Saint *Paul* 27 *Edw.* I. This is the finding of the jury :—

"Et dicunt quod Humfridus filius dicti Comitis est ejus heres propinquior et etatis viginti et duorum annorum et amplius Et dicunt quod idem Comes obiit ad manerium de Plassetis in vigilia Circumcisionis Domini anno supradicto." [*Chancery Inq. p. m.* 27 *Edw.* I. n° 142]

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[1] *Chron. Walt. de Hemingburgh* (ed. Hamilton), ii. 174.

[2] *Harleian MS.* 6589 ; *Wrest Park MS.* 16 ; printed in "*Scotland in* 1298. *Documents relating to . . . the Battle of Falkirk*," edited by *Henry Gough*, 1888, 4to, pp. 131–134.

[3] He was buried in Walden Abbey, "in the chapel of Our Lady." [Dugdale's MONASTICON (new edit.), iv. 134.]

Regarding this question of date, *Blackstone* has attended to t warning given by *Prynne*, who was the first to point out the mista made by Sir *Edward Coke* and others in assigning it to so late a peri as the thirty-fourth year of the reign. This is what *Prynne* says:—

"From these last recited Histories, Records and Parliamentary p ceedings, concerning the violations and confirmations of the Great Char and Articles thereto annexed, we may observe . . . [Here six poi are noticed, and then] 7ly. That the premised Charter of Pardon *Humfrey de Bohun* and others, and the Statute de *Tallagio non co cedendo*, were made, granted in the 25 year of King *Edward* the I. n in the 34 of his reign, as all our printed Statute-books, and Sir *Edwa Cook* very grossly mistake: which the premised Historians, the Statu Roll in the *Tower*, the dates of passing them in *England*, of confirmi them at *Gaunt* and *York*, the Subsidy granted by the Nobili Commons, and Clergy for their confirmation, the Excommunicati denounced against the infringers of them, (all in the 25 ye of Edward I.) with the deaths of *Humfrey de Bohun*, Earl of *Her ford* and *Essex*, *Gulielmus de Bello campo* Earl of *Warwick*, a *Guilielmus de Luda* Bishop of *Ely*, Anno 1298. 26 E. 1. (as *Matthe Westminster* and others story) mentioned in this Charter, Statute, parties named, concerned in, or Witnesses to them, infallibly eviden beyond contradiction. Which I desire our Students of the Law, a publishers of Statute-books, when reprinted, to take notice of, to recti their former mistakes." [*History of King John*, &c. 746, 747.]

(C) Provision is made in this so-called "statute" for the publ reading of the *charter*—observe the use throughout of the word charte *not* charters—twice a year in all cathedral churches, and in like mann for excommunication to be pronounced in the several parish churches every diocese against all those who should contravene the tenor of th present charter in any article (*contra tenorem presentis carte . . in quocunque articulo*). Then *Hemingford* (as above seen, p. 219) co cludes with the attestation clause, evidently drafted for use (*In cuj rei testimonium presenti carte sigillum nostrum est appensum*), an applicable to a charter only; that to the present charter the king's se is appended, together with the seals of the archbishops, bishops, earl barons and others, who have spontaneously sworn that, so far as in the lies, they will observe the tenor of the present charter in all and singula its articles, and will afford their faithful counsel and help towards i observance for ever.

Such, then, was the manifest intention of the two earls and thei party. They desired to adopt the existing GREAT CHARTER of *Henry* and to augment it by certain articles, framed to meet the difficulties tha had newly arisen, and to cover the whole ground of their grievances an objections. Their constantly repeated dissatisfaction afterwards (c which ample instances are shown below in the following sections) i thus readily accounted for, and is indeed intelligible upon no other basis They succeeded in getting out of *Edward* the *French* charter of con

irmation only; and that they feared he might repudiate, because it had been sealed in a foreign land, and had been granted with but too evident reluctance.[1]

The date of *Bohun*'s death being placed beyond cavil by the finding of the inquisition, there remains a very narrow period indeed for the passing of any statute. *Edward*, returning from Flanders, landed at Sandwich on Friday the 14th of March 1297–8, and shortly after (30 March) issued writs of military summons[2] for a muster at York on the feast of Pentecost (25 May) following, for the purpose of marching against the *Scots*. At or about the time fixed a parliament was held here, in which the king engaged—upon the oaths of others sworn for him—to confirm anew the two charters on his return[3] from Scotland, after gaining victory over his rebels and enemies in that country. This was done in order to reassure the two earls who affected, from what they had heard, to be in doubt as to the king's change of mind with regard to the charters, upon the ground that he had confirmed them in a foreign country. They now declared that they would proceed no further without greater security as to *Edward*'s express renewal and confirmation in England. The battle of Falkirk was fought on the 22nd of July. Between this date and the month of December (in which *Bohun* died) there was held but one parliament, at Carlisle during the month of September; and no one pretends to say that the statute *de tallagio* was passed on that occasion. Indeed, both the earls constable and marshal withdrew by the king's leave from this parliament, alleging a desire to return home and rest their forces after the fatigues of the *Scottish* campaign; but, in all probability, chafing over *Edward*'s non-fulfilment of his promise, so solemnly made but a short while ago to re-confirm the charters.

The circumstances, under which this statute first made its appearance, are remarkable, and have a very important bearing upon the question of its genuine character. If it were not done, if evidence of the fact were not before one's eyes, it would be incredible that a printer could without warrant, or other authority than his own mere motion and will, include among the statutes inrolled and of long standing, one drawn from some ancient manuscript that had fallen in his way. Yet this is what *Berthelet* the king's printer achieved in January 1532–3[4] by the issue of a small book

[1] So *Trivet* says (368)—"ab eo qui in arto positus erat;" and *Hemingford* (i. 154)—"Qui quidem in arcto positus cum jam hæsitasset per triduum . . annuit in præmissis et omnia concessit et per ordinem confirmavit."

[2] Printed in *Parliamentary Writs*, i. 310, from *Close Roll*, 26 *Edw.* I. *m.* 12 dorso.

[3] "Verum quia in persona principem jurare non licet et eos placare vellet præcepit rex et juraverunt in animam ejus Dunolmensis episcopus *etc.* quod in reditu suo obtenta victoria omnia perimplerent ad votum." *Chron. Walt. de Hemingburgh* (ed. Hamilton), ii. 174.]

[4] The colophon is:—"¶ Impressus Londini in edibus Thome Berthelet regii impressoris, Anno dom. 1532. mense Ianuar. Cum privilegio."

in black letter[1] entitled SECVNDA PARS VETERVM STATVTORVM. Her at folio 39 is inserted, in five clauses or chapters, "STATVTVM de tallagi non concedendo," without comment, or indication of the source fro which it was derived.

The editors of *Statutes of the Realm*, failing to find a more author tative source, elected to print this statute (i. 125) from a manuscript i *Corpus Christi* College, Cambridge, for the reasons clearly stated b *Blackstone* as follows :—

"It is not to be found upon any authentic roll or record of th years 1297 or 1298, nor elsewhere ; not that the statute roll of that tim is lost, but no entry of such statute in latin appears thereon. The fir time it occurs in print, to the editor's knowle[d]ge, is in the *Secund pars veterum statutorum*, printed by Thomas Berthelet, *A.D.* 1532 ; fo it is taken no notice of in the old abridgment of the statutes, which wa printed about the reign of Edward the fourth by Letton and Machlinia and was probably compiled somewhat earlier, as the latest statute therei abridged is 33 Henry VI. chap. 13. And yet that abridgment has a abstract of the statute *de confirmatione cartarum*, *alias dict' superaddici cartarum*, wherein the emphatical word *tieu* is left out: which shew that not quite so much stress was laid upon it antiently, as at the tim of M. Hampden's trial." [*The Great Charter*, &c. Introduction, lxv lxvii.]

The writer finally expresses his belief, that this proposed (but neve fulfilled) addition to the GREAT CHARTER has now acquired the force a statute by the ruling of the judges in the time of *Charles* the First :—

"This matter was very learnedly debated in M. Hampden's grea case relating to shipmoney, *A.D.* 1637 [i. *State-Trials*, 510, 536, 55 &c.] ; when the judges determined it to be a separate act of parliamen principally because it was recited as such about nine years befor in the preamble to the petition[2] of right. And their determinatio seems to be just, for this was certainly sufficient to give it for th future the binding force of a statute in point of law ; though it hardl will be allowed as a conclusive proof of a disputed fact in point o history." [*The Great Charter*, &c. Introduction, lxvi.]

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[1] The size of the printed page, or forme, is one inch and eleven twelfths wide, by three inches and five-twelfths high ; thirty-three line in a page.

[2] This is the passage extracted from the *Parliament. Roll*, 3 *Chas.* I which states that the Petition was exhibited on 28 May, 1627 :— "That Whereas it is declared and enacted by a Statute made in th tyme of the Raigne of kinge Edward the first commonly calle Statutum de tallagio non concedendo, That no tallage or ayde shoul be layd or levyed by the kinge or his heires in this Realme without th good will and assent of the Archbishopps Bishopps Earles Baron Knightes Burgesses and other the Freemen of the Commonaltie of thi Realme," *etc.* [*Statutes of the Realm*, v. 23].

A Fifteenth[1] of Moveable Goods

payable at three terms

25 Nov. 1301, 6 May and 13 July 1302.

(*)

A° 29° Edw. I. 20 Jan. 1300-1.

In the Parliament which met at Lincoln on the 20th of January 1300-1, for the purpose of receiving and considering the Perambulations of Forests, that had been returned by the commissioners especially assigned to make them, the laity of the realm granted to the king a FIFTEENTH of such moveable goods as should be in their possession on Michaelmas-day then next ensuing (29 September 1301).

EDWARD's reluctance to surrender any prerogative of his crown led him to throw constant difficulties in the way of completing the perambulations, so as to show once for all what was and what was not the king's forest. His ever-recurring confirmations of the two Charters made no real advance upon the existing state of things. The express reservations made as to the right of his crown, and the exceptions which might be made by himself or others, engendered the utmost suspicion. The earls, barons and other great persons, who were brought into actual contact with him, had the strongest possible reasons for doubting his good faith ; and this state of general mistrust and discontent gradually extended itself to the entire body of the people. The pains and penalties inflicted for offences against the Assize of the Forest had grown to be intolerable. Any one was liable upon conviction to loss of life or limb[2] for hunting without leave in any of the king's forests. The fines, or ransoms, exacted for remission of sentence were grievous in the extreme ; and, if unable to pay, no choice was left to the unhappy delinquent but to languish in prison, or to abjure the country. At last the king, finding a moment of leisure (*quatinus nobis vacat*) on the 26th of March 1299, sent to the sheriffs certain Articles[3] contained in the Great Charter of the Forest granted by his father, which he accepted and willed, for himself

A.D. 1299. 26 March

[1] No documents found for LANCASHIRE.

[2] One of the articles (10) of *Henry*'s Charter of the Forest, now to be renewed and confirmed by *Edward*, was :—"Nullus de cetero AMITTAT VITAM VEL MEMBRA pro venatione nostra, set si quis captus fuerit" *etc.* [*Statutes of the Realm*, i. 121.]

[3] The recital omitted the first five clauses, and began at No. 6, concerning the lawing of dogs, &c.—"Inquisitio vel visus de expeditatione canum" *etc.*

A. D. 1299. and his heirs, should be held throughout the forests of his kingdom. All these articles were to be immediately read and published in cities, boroughs, market-towns, and other solemn places (*et aliis locis solemp-nibus*) in their whole bailiwicks, as those which the king granted and willed to be held and firmly observed in the form laid down, entirely and absolutely. Moreover, the perambulations of the forests were to be made as quickly as possible after the completion of the business which the king had with the messengers shortly to arrive from the *Roman* Court; which affairs, being so arduous as to touch not only the king and his realm, but also universal *Christendom*, demanded the presence with him of his whole council. In the meantime he commanded that they (the sheriffs) should without delay make known to all the whole matter now enjoined to them.

2 April The week after (2nd April) *Edward* sent to the sheriff of *Lancashire* the same Articles as those just-mentioned, followed by the Statute known as *De finibus levatis* (Of fines levied), and printed in *Statutes of the Realm*, i. 136. Here the king harks back to what had happened before his expedition into Flanders. Whereas (he says) lately at Westminster, before our voyage to Flanders, having regard for the great costs and expenses incurred and sustained in divers ways by the people of our kingdom for us, in time as well of peace as of war, feeling no mean wish and desire to consider the said people as much as at that time was in our power, we granted to them of our own will for us and our heirs that the Great Charter of Liberties should be observed in all its points, and that the Charter of the Forest should likewise be kept; SAVING nevertheless our oath, the right of our crown and our exceptions with those also of others: which things we caused to be pronounced by the venerable father *Robert* archbishop of *Canterbury*, upon our behalf and in our presence, and afterwards at Odimere, in our said passage to Flanders, commanded under our seal the same grant to be observed and held in every county throughout our whole kingdom. AND whereas from that time to this we were much occupied and distracted by the restraint and distress of wars in divers and distant parts, whereby we have been unable to know the state of our kingdom, We in these days, when we are at leisure (*quatinus nobis vacat*), continuing our first intention, have had deliberation upon the grant aforesaid; and, for the honour of God and Holy Mother Church, and for the advantage of the whole people of our realm, do will that the aforesaid Great Charter of Liberties be observed in all its points, and the Charter of the Forest also according to the underwritten Articles which are these:—

[Here, omitting the first five articles, the king recites the remainder beginning with N° 6 (granted 11 Feb. 9 *Hen.* III.); "Inquisitio vel visus de expeditatione canum" *etc.*; as before (p. 225) mentioned.]

10 April Writs of summons were issued on the 10th of April for a parliament
3 May at Westminster in fifteen days of Easter (3 May 1299), to treat upon special and arduous affairs which had newly arisen, touching the king himself and the state of the kingdom. In this parliament according to

Trivet (who is followed by *Walsingham*) the king confirmed the two charters without reserve.[1] A.D. 1299.

On the 25th June in the same year (1299) the king, being at Lewes, sent writs[2] to all the sheriffs, enclosing his letters[2] patent of the same date, directed to the commonalty of every county, notifying his appointment of commissioners, who were to be at Northampton on Michaelmas-day then next ensuing (29 Sept. 1299), having full power and quite ready to make the perambulations of the forests without further delay. Every sheriff was commanded to take with him some religious man, able to testify what was done, and to cause those letters patent to be read at once and publicly proclaimed in cities, boroughs, market-towns, and such other places as might seem expedient to him, in order that every one might know their tenor. In these letters (written in *French*) *Edward* begins by stating, that he has heard of people going about and saying, that he will not keep or observe either of the two Charters, and will not suffer the promised perambulations to be made. He denies these statements (*la quele chose nest pas verite*), and declares his mind and will to be sincere as to keeping both charters, and making the perambulations, which last-named are delayed only on account of the business connected with the papal award between himself and the king of *France*. It is for their convenience that the term for them is fixed after their harvest-season, on Michaelmas-day. Finally they are requested to put no faith in any reports to the contrary. 25 June. 29 Sept.

While *Edward* was at Wetherby (14 Jan. 1299-1300), intending to have a general muster at Carlisle on 24 June 1300, preparatory to his Scottish expedition, he sent writs[3] to all the sheriffs; and, amongst them, to the sheriff of *Lancashire*, commanding him, together with *John* de *Hudleston* and *William* de *Dacre*, or one of them, to return the names of all, whether knights, esquires, or others, having £40 or more yearly in land and rent within his bailiwick, and to warn them to provide themselves with horses and arms, and to be ready at the day and place named to go with himself against the *Scots*. The return was directed to be made before (*citra*) the second Sunday of Lent. This was accordingly done, and the answer of the sheriff is to this effect:— A.D. 1299. — 1300.

Names of knights: *Robert* de *Lathum*, *Robert* de *Holonde*, *William* de *Dakre*, *John* de *Byroune*, *William* de *Clifton*. All these have £40 land and rent, and do not hold of the king in chief. *Ingeram* de *Gynis* has the same, and holds in part of the king in another county; by which tenure he owes service. And besides, *Margaret* de *Nevyle* has £40 land and rent, and does not hold of the king in chief.

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[1] "ad votum eorum absolute omnia sunt concessa" [*Nich. Triveti Annales* (ed. Hog), 376.]

[2] Printed at length by *Prynne* in his *History of King John*, &c. 810, 1.

[3] The original writs yet (Dec. 1890) remain in *Chancery File*, 135, but will ere long "be broken up and distributed." See page 143, note 5.

A.D. 1299. — 1300.

Names of esquires :—*Edmund le Botelere*, *William le Botelere* of Werington, *John* de *Langton*, *Alan* de *Burnill*, *John* de *Haverington* (under age and in ward to the abbot of *Furneys*), and *Thomas* de *Greley* (under age and in ward to the king). All these have £40 land and rent as found by inquisition made before *John* de *Hodelston*, and *William* de *Dakre* together with *Richard Lancastre*. All these have been warned (*premuniti sunt*), as contained in the writ.[1]

19 March

By a later writ,[2] dated 19 March following (1299-1300) and directed to the same sheriff, the king explained that it was not his intention, that those persons who had £40 or more in land and rent should be warned or even admonished, under any forfeiture, but only asked to do what he had enjoined by the former writ. He was now, on the king's behalf, especially to ask and request them to provide themselves with horses and arms, and to be ready to go against the *Scots* (as before). The names were to be sent in one month from Easter-day (8 May 1300).

On the dorse of the writ the sheriff wrote, as follows :—

Isti habent quadraginta libratas terre et redditus quos specialiter rogavi et requisivi, videlicet—

Thomas Comes Lanc[astrie]
Henr' de Lasscy Comes Linch[olnie]
Ingelramus de Gynes
Will' de Dacre
Will' de Clifton'
Rob' de Lathum
Rob' de Holond'
Will's le Botiler de Weringto[n]'
Joh' de Langeton'
Joh'es de Byron'
Alanus de Burnull'
Margareta de Nevill'

Et quia Joh' de Hodelistone et Will' de Dacre sunt in Scocia cum domino Joh'e de Sancto Johanne et non fuerunt in Com. Lanc. postquam istud breve mihi venit ideo sigilla sua huic brevi non sunt apposita. [*Chancery File*, 135, n° 33.]

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[1] See *Parliamentary Writs*, i. 330 (15) for the inrolment of the writ of 14 January, followed by returns for some counties extracted from *Harl. MS.* 1192 and *Cotton MS.* Claudius C. ii.

[2] "*Intencionis tamen nostre non fuit quod ad hoc faciendum sub aliqua forisfactura premunirentur seu eciam monerentur set quod tantummodo rogarentur Omnes igitur quadraginta libratas terre et redditus vel amplius habentes . . . ex parte nostra roges specialiter et requiras quod de equis et armis taliter sibi provideant*" etc. [*Chancery File*, 135, n° 33.]

In the parliament[1] holden at Westminster on the second Sunday of Lent in his 28th year (6 March 1299-1300), the king passed the statute known as *Articuli super Cartas*[2]; of which, though twenty in number, the first Article only, as it concerns the confirmation of the two CHARTERS, calls for notice here.

FORASMUCH[3] as the points of the Great Charter of Liberties and Charter of the Forest, granted by king *Henry* to his people for the welfare of his kingdom, have not hitherto been held or kept, because no penalty has up to this time been established for trespassers against the said charters, the king has afresh granted, renewed and confirmed them; and, at the request of the prelates, earls and barons, in his parliament at Westminster in Lent of his twenty-eighth year, has ordained and established a certain form and pain against all those who in any wise contravene the points, or any point, of the aforesaid charters, that is to say:

ART. I. THAT henceforth the Great Charter of Liberties granted to the whole commons of England, and the Charter of the Forest granted in like manner, shall be held, kept and maintained in every article and every point, as fully as the king has granted, renewed, and by his charter confirmed them. AND that those charters shall be delivered to every sheriff of England under the king's seal, to read four times a year before the people in full county-court; that is to say, in the next courts after *Michaelmas*, *Christmas*, *Easter* and *Saint John Baptist*'s days. AND[4] to firmly hold those charters in every point, and in every article, where before there was no remedy by the Common Law, there shall be elected in every county, by the commons of that county, three honourable

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[1] The writs are dated at Berwick 29 Dec. 1299, and printed in *Parliamentary Writs*, i. 82, from *Close Roll*, 28 *Edw.* I. *m.* 17 dorso.

[2] See *Statutes of the Realm*, i, 136-141, where the original French is printed (side by side, with a translation) from the *Statute Roll*, No. 1 (otherwise *Early Chancery Rolls*, 868, as now (Dec. 1890) re-named), *m.* 35.

[3] In the translation here made I venture to deviate slightly (by abridgment or otherwise) from the version given in *Statutes of the Realm*, i. 136.

[4] "Et a celes deus chartres en chescun poynt et en chescun article de eles fermement tenir ou remedie ne fust avant par la commune ley soient eslus en chescun conte par la commune de meisme le conte trois prodes hommes chivaliers ou autres loiaux sages et avises qui soient justices jures et assignes par les lettres le roi overtes de soen grant seal de oyr et de terminer santz autre bref qe leur commune garant les pleintes qe se ferront de touz iceaus qui vendront ou mesprendront en nul desditz poyntz des avantdites chartres es contez ou il sont assignes ausi bien dedenz franchises come dehors ausibien des ministres le Roi hors de leur places come des autres" *etc.*

men, knights or other lawful, wise and discreet persons, who shall be sworn as justices, and assigned by the king's letters patent under his Great Seal to hear and determine, without other writ than their common warrant, the plaints which shall be made against all those who contravene or infringe any of the points of the aforesaid charters in the counties to which they are assigned, as well within liberties as without, and as well of the king's ministers out of their places as of others ; and shall determine the plaints heard from day to day at once, without permitting the delays which are allowed by Common Law. AND that those knights shall have power to punish all those who shall be convicted of trespass done against any point of the aforesaid charters where before (as is above said) there was no remedy at Common Law, by imprisonment, or by ransom, or by amercement, according to the nature of the trespass. And by this neither the king, nor any of those who were at the making of this ordinance, intends that the knights aforesaid shall hold any plea, by the power given to them, in cases for which remedy has been heretofore provided according to the Common Law by writ; or, that prejudice be done to the Common Law, or to the Charters abovesaid in any of their points. And the king wills that, if all three be not present, or cannot at all times attend to perform their office in the form aforesaid, two of the three shall do so. And it is ordained that the sheriffs and the king's bailiffs shall attend to the commands of the beforesaid justices, so far as appertains to their offices.[1]

A.D. 1300. 27 March 20 May 28 March

Writs were soon after issued[2] (27 March 1300) to the sheriffs, coroners and commonalties of counties, commanding the election without delay of three knights, or other discreet persons, who were to be at York on the morrow of Ascension-day following (*i.e.* 20 May), in order to do and execute what should be then and there enjoined to them for the strict observance thenceforth of the Great Charter of Liberties and Charter of the Forest in their several articles. On the following day (28 March) the king sent writs, accompanying an *Inspeximus* and Confirmation, to the sheriffs, requiring them to have the two charters read in full county and publicly proclaimed four times a year ; namely, in the courts held immediately after the feasts of *Easter*, *S. John Baptist*, *Michaelmas* and *Christmas;* and to see that all the articles contained in both charters were firmly kept and observed.[3] In counties in which the

[1] This is the final clause:—"*En totes les choses desusdites e ehescune de eles voet le Roi e entent il e soen consail e touz ceus qui a cest ordenement furent qe le droit e la Seignurie de sa Coroune savez lui soient par tout* [Statutes of the Realm, i. 141]. (In all the things abovesaid, and every of them, the king wills and intends—he and his council, and all those who were present at [the making of] this ordinance—that the right and suzerainty of his crown shall be saved throughout the whole.)

[2] Printed from *Close Roll*, 28 *Edw.* I. *m.* 11 dorso in *Parliamentary Writs*, i. 87 ; and in Rymer's *Fœdera*, i. 919.

[3] Printed from *Close Roll*, 28 *Edw.* I. *m.* 8 dorso in Rymer's *Fœdera*, i. 919.

king had forests the two charters were to be read ; but in other counties,[1] no mention of the Charter of the Forest, but of the Charter of Liberties only.

An original *Inspeximus* and confirmation of the Great Charter, granted at the same date (28 March 1300) by *Edward* to the City of London, remains among the records of the exchequer.[2] On the fold at the bottom, to which by a strip of parchment is attached the Great Seal —of white wax, much broken at the verge—is written :—

Magna Carta de Libertatibus Anglie pro Civitate London'

An endorsement in one line reads :—"*Carta magna de libertatibus Anglie. Examinatur et non indiget consideracione*" (Great Charter of the Liberties of England. Examined, and wants no consideration).

A.D. 1300. 1 April

On the first of April 1300, the king, in his anxiety to have the Charter of the Forest (granted by his father) firmly observed in all its articles, issued commissions to certain persons in various counties (but not in LANCASHIRE), to make perambulations of the forests ; for which purpose they were to call before them, in the presence of the Justices of the Forest, all foresters and verderers at the days and places[3] assigned to them. The perambulations so made were to be returned under seal to the king, in order that he with the aid of his council might fully consider the matter.

A.D. 1300. 7-15 April 28 June 26 Sept.

Edward left Westminster at the beginning of April and, after spending some days (7-15 April) at St. Albans, made a long progress through several counties, arriving at Carlisle (at the time fixed) on the 28th of June. Having conducted the siege of Carlaverock, he remained in Scotland until September, about the middle of which month he is found at Rose Castle.[4] While here, he sent out writs[5] (26 Sept.) for a parliament to be held at Lincoln, in eight days after the feast of S. *Hilary* (or 20 January 1300-1), for the purpose of receiving the returns of the

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[1] As to counties (among which was LANCASHIRE), in which the king had no forest, see below (p. 232).

[2] *Exchequer. Treasury of Receipt. Miscellanea*, 21/28A.

[3] For the counties of Salop, Stafford and Derby the meeting-place was Lichfield, on the morrow of Ascension-day (or 20 May), 1300. See *Parliamentary Writs*, i. 397, 398 ; and Prynne's *History of King John*, &c. 849.

[4] The residence of the bishops of *Carlisle*, in the parish of Dalston, Cumberland, and called in documents of this period "*la Rose*." Here *Edward* was joined by the queen, who came to *la Rose* on Sunday the 18th of September, 1300; as appears by a marginal note to a Household Account (*Q.R. Wardrobe*, 9/32) of the 28th year opposite that date—"*Hic venit Regina*."

[5] Printed in *Parliamentary Writs*, i. 89-91.

Perambulations of the Forests, and considering exceptions that might be raised against them, either on his own behalf, or on that of others. Although the commissioners whom he had lately assigned have brought to him their returns, he is unable (he says) to do anything without the prelates, earls, barons and other magnates of the realm, in whose presence he desires all claims or exceptions, whether his own or of others, to be propounded and heard, and to proceed in the matter with their advice; especially as they are bound, like himself, by oath to maintain the rights of his kingdom and crown (*jura regni et corone*). Now, wishing to treat upon this and other matters with the aforesaid prelates, barons and magnates, and with the commons of the realm, he commands every sheriff to send to Lincoln on the day named (20 Jan. 1300-1) two knights of the shire; namely, those who came to the last parliament; also the same citizens and burgesses for all cities and boroughs then represented by them. In case of the death or infirmity of any knight, citizen, or burgess, another to be chosen in his stead. Reasonable expenses to be allowed to the persons so sent in going to, staying at, or returning from the same parliament. And besides, public proclamation is to be made without delay throughout the entire bailiwick, that all who have lands or tenements within the metes of a royal forest, and wish in any wise to challenge the perambulation, are to be before the king in Parliament to show their exceptions. The two Justices of the Forest (North and South of Trent) were commanded to send to Lincoln at the same date all foresters within their jurisdictions, in order to assist with their counsel in the premises.

Counties with no forest.

The writs of the same date (26 Sept.), directed to the sheriffs of counties, in which the king had no forest (among which was Lancashire), differed somewhat in form; the command to allow expenses and to make public proclamation being omitted. These were the counties of Bedford, Cambridge, Cornwall, Hertford, Kent, LANCASTER, Leicester, Lincoln, Middlesex, Norfolk, Northumberland, Suffolk, and Sussex.

21 May

On 21 May 1300 the king sent letters[1] to the knights and commonalties of Flintshire and various parts of Wales, asking them to give credence to *Richard* de *Mascy* justiciar of *Cheshire* and others, who had been deputed to apply to them on his behalf for a subsidy towards carrying

7 June

on his war in Scotland; and, on 7 June following, he wrote[1] to the same *Richard* that, as the people of North Wales had given a sum of 2,000 marks for his said war, he was to use all pains and diligence in obtaining the like substantial aid from those inhabiting Englefeud, Flint and Rothelan. Similar commands were laid upon others to raise money in

10 June

the remaining parts of Wales and the Marches.[2] On the 10th of June

[1] Printed in *Parliamentary Writs*, i. 343.

[2] The Accompt of the subsidy then granted in Wales was rendered by *Richard* de *Haveringe*, and is sewn up with the *Pipe Roll*, 33 *Edw.* I. under the title :—"Compotus Magistri Ric'i de Haverynge clerici de Subsidio per Communitatem Wallie in subsidium guerre sue Scocie concesso anno xxviij°."

Edward commanded *Robert* de *Holande* and *Matthew* de *Redman* to bring to Carlisle, at the latest on the third or fourth day after the 24th of June, the 2,000 foot, lately (30 April) ordered to be raised by them in Lancashire, fully armed and equipped for going with the army against the rebellious *Scots; Henry* de *Craystoke* clerk being appointed paymaster of the force.

The parliament met accordingly at Lincoln on the 20th of January 1300-1, when prolonged debate arose. As to the perambulations, the king willed that they should be shown to the good people (*as bones gentz qe sunt venutz a ceo parlement*), and examined by them. If, after having duly weighed and considered all the evidences which could be brought forward on his behalf, they should advise him that the perambulations had been well and lawfully made, he was willing that these should stand, provided that he could confirm them without breaking his oath, and without disinheriting the crown (*saunz blemir son serment e saunz la coronne desheriter*). The prelates and magnates, on behalf of the whole body assembled in parliament, evaded the points raised, and propounded twelve articles,[1] which they desired the king to answer, one by one. Here *Edward* specifically allows (among other things); that the two charters shall be kept henceforth in all their points; that all statutes to the contrary shall be null and void; that the power of the justices assigned in counties for the observance of the charters shall be assured; that the perambulations now made shall be carried out at once by deafforesting, according to the bounds fixed by the commissioners; that any perambulation, yet imperfect, shall be completed between this and *Michaelmas-day* next (29 Sept. 1301). Subject[2] to the express condition that all these things should be done within that period, this parliament granted to the king a FIFTEENTH of their moveable goods, to be levied after the date named, and required that four knights should be elected by general assent in every county to tax, collect and pay to the king the said Fifteenth. The prelates declared that they could not, and dared not agree to a contribution being made from their own goods, or from the goods of the clergy, in face of the prohibition of the pope. Eventually, however, a Fifteenth was levied upon the temporal goods of the clergy. It was postponed twice by *Edward* at the request of the archbishop of *Canterbury;* but, being urgently needed for the defence of the kingdom, it was ordered to be levied by writs,[3] dated at Lanum

A.D. 1300-1. 20 Jan.

Fifteenth granted.

[1] These are printed in *Parliamentary Writs*, i. 104, 105, from an ancient Register preserved among the archives of Canterbury.

[2] Le pueple du Reaume ensy ke totes les choses suzdites se facent e seent establement afermez e acompliz ly graunte le xv^me^ en luy del xx^me^ einz ces houres graunte issint ke totes les choses suz dites entre sy e la Seint Michel prochein suant se facent autrement qe rien ne seit levee." [To which the king replied] "*Placet expresse.*" [*Parl. Writs*, i. 105]

[3] *Fine Roll*, 31 *Edward* I. *memb.* 7.

(Laneham) 16 April 1302, and directed to the taxors and collectors o counties. By other writs, dated at Perth 25 June following, the collectior was hastened, and the money ordered to be paid on fixed days. For the taxors in the counties of Lincoln, Nottingham, Cumberland, Northumberland, LANCASTER, Westmoreland and Derby, the term was the morrow of the feast of S. *Peter ad vincula* (or 2 August), 1302.

A.D. 1300–1. 14 Feb. *Edward* on the fourteenth of February following (1300-1) confirmed the perambulations, decreeing that whatsoever[1] by these is put out o forest shall remain without, and that the residue shall continue forest for ever, according to the metes and bounds found and recited by the commissioners. Thereupon the details are set out particularly for every county in which the king had forest, and transcribed in a special roll,[2] entitled, "*Rotulus Perambulationum Forestarum*," now (January 1891) known as *Tower. Miscellaneous Rolls*, 113. The several counties occur in this order, beginning from the inside (or head) of the roll:—Stafford (*m.* 18), Huntingdon (17), Worcester (16), Warwick, Rutland (15), Gloucester (14), Salop (13), Essex (12), Northampton (11), Nottingham (10), Somerset (9), Oxford (8), Hertford (7), Wilts (6), Cumberland (5), Southampton (4), Buckingham (3), Yorkshire (2), Dorset (1). A note here states that the Perambulations of Surrey and Berks are entered in the *Close Roll* (dorso) of the 28th year.

The omission of LANCASHIRE from this list and the constant reference to the fact, that the king had no forest in this county, are explained under the grant made by *Henry* III. to his son *Edmund*, as before seen (p. 163). There was certainly forest in the three Wapentakes of Amoundernes, West Derby and Lonsdale; and, at this date (29 *Edw.* I.), all the royalties and privileges granted to his father had passed by hereditary succession to *Thomas* earl of *Lancaster*. It is found, however, that, during the king's absence in Flanders, appointments are recorded (16 Oct. 1295) of persons assigned to make perambulations of the forests in various counties; and, among those so named, are *John* de *Lythegreynes* and *Henry* de *Gildeforde*, who were to act in the counties of York, Cumberland, LANCASTER, Nottingham and Derby.[3]

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[1] "*Ita quod quicquid per istas perambulaciones ponitur extra forestam remaneat extra forestam et residuum remaneat foresta secundum metas et bundas predictas imperpetuum. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Lincoln' xiiij. die Februarii anno etc. vicesimo nono.*" [*Rot. Perambulationum Forestarum*, *m.* 8].

[2] See *Second Report of the Deputy Keeper of Public Records*, Appendix ii. 59.

[3] "*Eodem modo assignantur Johannes de Lythegr' et Henr' de Gildeford' in comitatibus subscriptis videlicet in com. Ebor' Cumbr' Lancastr' Notingh' et Derb'.*" [*Close Roll*, 25 *Edw.* I. *part* 2, *m.* 3. See also *Patent Roll*, 26 *Edw.* I. (117) *m.* 32.]

Again, in specifying the contents of a large canvas bag (*una magna baga de canabo*) which was delivered to *William* de *Brechull*, chamberlain of the exchequer, on the 18th of January in the 29th year (1300-1), for carriage to the parliament at Lincoln, six smaller bags (*in qua fuerunt sex minores bage*)—each sealed with the seal of the chancellor of the exchequer (*Philip* de *Wilughby*)—are described with their respective titles. Of these, a canvas bag (the second in order) contained Rolls of *William* de *Wescy*'s (rather *Vescy*) eyre of the king's forests in the counties of Cumberland, Northumberland, LANCASTER, Nottingham and York, in 13, 14 and 15 *Edward*, with writs and other memoranda of his (the justice) time. In this bag there were also sundry transcripts of charters granted by divers kings of England. Hence it may be inferred that, under the charter of *Hen.* III. (p. 163), *Edward*'s claim to forest in Lancashire had been successfully challenged. The exact description, copied from the roll now before me, is as follows :—

"*Item alia baga de canabo que sic intitulatur* Rotul' W. de Wescy de Itinere forestarum domini Regis E. in comitatibus Cumbr' Norhumbr' Lanc' Not' et Ebor' annis regni Regis E. xiij. xiiij. et xv. cum brevibus et aliis memorandis de tempore suo *et in hac baga fuerunt diversa transcripta cartarum diversorum Regum Anglie*." [*Exch. Q.R. Memoranda* (25), 29 *Edw.* I. Ro. 31 dorso.]

A series of "Forest Rolls" exists for Lancashire.[1] The earliest of these (a roll of one membrane, in fine condition) begins on the 5th of Feb. 1291-2, and is headed :—

"Rotulus de transgressione facta de venacione domini Edmundi comitis Lanc' in foresta sua in comit' Lanc' tempore Rad'i de Monjoye senescalli ejusdem foreste." Mention is here made of the Forests of Wyresdale and Qwernemore; and the latest inquiry (in this roll) is dated on Tuesday (31st Jan. 1295-6) before the Purification B. V. M. in the 24th year.

By letters patent, dated at Lincoln on the same day (14 Feb. 1300-1), the king—after reciting his confirmation and renewal of the Great Charter of Liberties and Charter of the Forest, granted by his father—made known to all his subjects his will and grant that any statutes contrary to the two Charters, or to any article in either of them, should be amended, or even annulled by the general council of the realm. Witness the following[2] :—

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[1] *Chapter House* (*County Bags*) *Forest Rolls*, Box 3, nos 1 to 19.

[2] Printed by *Prynne* in his *History of King John*, &c. 855 (wrongly numbered 853), from an original; of which (he says) he found four "extant in the *Tower* under his [the king] Great Seal." *Blackstone* prints the same which he calls Charter of Confirmation (*Carta Confirmationis*) of king Edward. [*The Great Charter*, &c. 85.]

Edwardus Dei gracia rex Anglie dominus Hibernie et dux Aquitanie omnibus ad quos presentes littere pervenerint salutem Sciatis quod cum nos magnam cartam domini H. quondam regis Anglie patris nostri de libertatibus Anglie una cum carta de foresta concesserimus et confirmaverimus ac innovaverimus per cartam nostram preceperimusque quod carte ille in singulis suis articulis teneantur et firmiter observentur volumus et concedimus pro nobis et heredibus nostris quod si que statuta fuerint contraria dictis cartis vel alicui articulo in eisdem cartis contento ea de communi consilio regni nostri modo debito emendentur vel eciam adnullentur. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste
14 Feb. 1300–1. *me ipso apud Lincoln' xiiii. de Februarii anno regni nostri vicesimo nono.* [*Rot. Peramb. Forestarum* (now *Tower. Miscellaneous Rolls*, 113), *m.* 18.]

This is regarded as *Edward*'s last act of confirmation by *Prynne*, who sums up the matter (*History of King John*, &c. 856) in these words :—

"Thus were these two Great Charters fully and absolutely ratified, and this grand businesse of the Perambulations of all Forests settled [and] confirmed, after all these successive Parliamentary contests between the King and his Nobles concerning them, to the Nobles and Commons great content and satisfaction, though not with so much sincerity on the King's part as they imagined, which he afterwards discovered to his great dishonour, and justification of the Earls and Nobles jealousies of his sincerity therein."

With respect to the same settlement *Blackstone* remarks:—

"This seems to have been the final and complete establishment of the two charters, of liberties and of the forest: which, from their first concession under king John *A.D.* 1215, had been often endangered, and undergone very many mutations, for the space of near a century; but were now fixed upon an eternal basis, having in all, before and since this time, (as sir Edward Coke observes) been established, confirmed, and commanded to be put in execution, by two and thirty several acts of parliament." [*The Great Charter*, &c. Introduction, lxxiv.]

A.D. 1301. 8 Oct. The king, writing from Stirling 8 October to the sheriffs and commonalties of the counties, reminds them that they had granted to him in his late parliament at Lincoln a Fifteenth of such moveable goods as they should have on Michaelmas-day now last past (29 Sept. 1301); and informs them that it had been unanimously agreed by the council then with him and his son in his *Scottish* expedition, that four or three knights, or other faithful and discreet persons, should be elected to assess, tax, levy and collect the said Fifteenth. He commands them therefore to proceed to election without delay, and to have those who shall be so chosen before the treasurer and barons of the exchequer on the Monday after the feast of S. *Luke* Evangelist next (23 Oct. 1301). Every sheriff was at the same date further directed, on sight of the letters patent, to assemble the commonalty of his county for the purpose of electing knights as assessors. The persons thereupon returned in Lancashire were *Nicholas Blundel*, *John Gentil* and *Henry* de *Trafford*,

who were assigned by letters patent,[1] dated at Donypas (Dunipace) 24 October, to assess, tax, levy and collect the Fifteenth, and to pay the money coming therefrom at three terms, namely ; the first part in fifteen days of Saint *Martin* next (25 Nov. 1301) ; the second part in fifteen days of Easter following (6 May 1302) ; and the third part in fifteen days from the feast of the Nativity of S. *John Baptist* (8 July 1302). *A.D.* 1301. 24 Oct.

The form[2] of taxing the NINTH formerly levied (p. 213) was sent to *Edward*, while he was at war in Scotland, by the bishop of *Coventry* and *Lichfield*, then treasurer ; in order that with the advice of his council, assisted by the earls, barons and magnates there, he might ordain in what manner the FIFTEENTH, granted to himself in parliament at Lincoln, ought to be assessed. After revision, the necessary alterations having been made, the approved form was returned to the exchequer, and ordered to be carried out.

Form of taxing and levying the Fifteenth.

In every county there are to be four knights, chief taxors and collectors, who are to be chosen by the county ; and these shall cause to be elected in every town four or two lawful men—more or less, according to its size—able to assess the people of the town in which they are. If none shall be found there, then others who are most lawful and capable to be elected from the nearest towns. Those townsmen so chosen shall be sworn to lawfully assess and tax all the goods of every one, whether in the field, house, or elsewhere, on Michaelmas-day last past (29 Sept. 1301), and shall set down in a roll all the parcels and the sums, and deliver it under their seals to the chief taxors, retaining by them a transcript with the seals of the last-named, in order to levy the money. The chief four assessors and taxors shall go from hundred to hundred, and from town to town, for the purpose of seeing and inquiring, whether everyone's goods be well and lawfully assessed and taxed according to right and reason. They shall inquire if any one in the towns has since Michaelmas-day removed anything, so that it is not included among his other goods in possession on the day named. If so, any such to be taxed like the rest. The goods of the taxors in towns shall be taxed by other lawful men of their neighbourhood, not of affinity to them, who are to be assigned thereto and sworn by the chief taxors ; and the taxation of the last shall be reserved to the treasurer and barons of the

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[1] Printed in *Parliamentary Writs*, i. 106, 107.

[2] This "memorandum" is found in the roll of *Memoranda L.T.R.* (n° 26), 30 *Edw.* I. Ro. 52, and is immediately followed by the form used for the NINTH, marked with many interlineations, corrections, &c., and on the next membrane (53) is written fairly the amended and approved form of taxing and levying the Fifteenth lately granted, which agrees with that printed in *Parliamentary Writs*, i. 105 (46).

exchequer. Temporal goods only to be taxed in any county.[1] As soon as any wapentake, hundred, or town, shall be taxed, then the Fifteenth shall be levied for the first term; so that, when a sum amounting to £60, or more, has been received, it is to be sent at once to the exchequer.

The Accounts of the collectors of this Fifteenth are found in *Foreign Accounts*, Roll n° 2, beginning with Derby, then York (three ridings), Cumberland, Westmoreland, Lancaster, Northumberland, and so on, for the whole of England :—

De quintadecima Regi concessa anno xxix.

DERB' COMPOTUS Galfridi de Grisele Henrici de Brailesforde et Hugonis Teveray taxatorum et collectorum xv^e^ Regi concesse in com. Derb' anno regni Regis E. xxix. per breve Regis patens viz. de quintadecima Regi concessa in parliamento Regis apud Lincoloniam.

Iidem reddunt compotum de CCCC. xxx. li. xix. s. v. d. q^a^t.' receptis de xv^a^ tocius com. Derb' predicto anno xxix. sicut continetur in Rotulo de particulis quem liberaverunt in thesauro. Summa CCCC. xxx. li. xix. s. v. d. q^a^t.' In thesauro C. li. in. ij. tall. Et debent CCC. xxx. li. xix. s. v. d. q^a^t.' Sed respondent in Derb' in R° iiij. R. E. fil. Regis hujus.

* * * * *

LAN-CASTR' COMPOTUS Nich'i Blundel Joh'is Gentyl et Henrici de Trafforde taxatorum et collectorum predicte xv^e^ Regi in eodem parliamento concesse in comitatu Lancastr' per breve Regis patens.

IIDEM reddunt compotum de CCC. lxxvj. li. vj. s. vj. d. ob. q^a^t' de quintadecima omnium bonorum mobilium quintedecime in com. predicto sicut continetur in Rotulis de particulis quos liberaverunt in thesauro.

Summa—CCC. lxxvj. li. vj. s. vj. d. ob. q^a^t.' In thesauro CCC. lxv. li. xv. d. in. vi. talliis. Et eisdem pro misis et expensis quas fecerunt circa taxacionem et collecionem predictas xj. li. v. s. iij. d. ob. q^a^t.' Et quieti sunt.

[*Exch. L.T.R. Foreign Accounts*, Roll n° 2.]

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[1] Here is repeated in the same terms the leper-clause before quoted (p. 214).

COMPARATIVE TABLE OF RECEIPTS OF THE FIFTEENTH

County				TOTAL		
				£.	s.	d.
1. NORTH OF TRENT						
Cumberland				831	2	4¼
LANCASTER				376	6	6¾
Northumberland [1]				508	16	8⅓
Westmoreland				538	14	6½
York: N. Riding		1,668 13	9¾			
E. Riding		1,118 11	4¼			
W. Riding		989 15	8			
				3,777	0	10¼
2. SOUTH OF TRENT						
Essex [2]				1,603	17	1¼
Hertford				747	3	11½
Kent				3,361	4	10¼
Lincoln [3]				5,084	0	7¾
Middlesex [4]				414	12	8¾
Norfolk				5,263	13	0
Suffolk				1,622	5	1½
Surrey				728	16	8¾

Aid to marry the King's eldest daughter

(granted 18 Edw. I.)

assessed at forty shillings the fee.

130
3
A° 31°
Edw. I.

Estreats of knights' fees in the county of LANCASTER for marrying the king's eldest daughter, assessed in the thirty-first year of the reign.

[*A roll of one membrane* (*written on both sides*), *rather discoloured, but otherwise in a good state.*]

[1] The burgesses of Newcastle-upon-Tyne sent to the king, in Sept. 1301, £200. [*Exch. Q. R. Wardrobe Account* 10/4].

[2] See *Rolls of Parliament*, i. App. 243, for the personal taxation, in detail, of moveable goods had on Michaelmas-day 1301 in the borough of Colchester, and four townships within the liberty of the same borough.

[3] The mayor and inhabitants of the city of Lincoln fined in £400, and the king gave them (23 Aug.) an acquittance [*Parl. Writs*, i. 106].

[4] The mayor, citizens and commonalty of the city of London fined for the 15th in 2,500 marks (or £1,666 13*s.* 4*d.*), for which sum the king gave (20 July) an acquittance [*Parl. Writs*, i. 105].

1 June 1290. On Thursday the first of June in the 18th year of his reign (1290), a Aid for marrying his eldest daughter, assessed at forty shillings upo every knight's fee, was unanimously granted to the king in full[1] parliamen by the prelates, earls, barons and other magnates, on behalf of them selves and the whole commonalty of the realm ; but, for the ease of th people, he postponed its collection until the 31st year.[2]

Of the Aid so granted in Parliament the following record is pre served in *Memoranda* (*Q.R.*) of the Exchequer, inrolled in Trinity terr 18 Edw. I. (1290) :—

Adhuc Communia de termino Sancte Trinitatis anno xviij'
[Ro. 9 dorso.]

De concessione ad primogenitam filiam Regis maritandam.

Memorandum quod die Jovis primo di Junii anno regni Regis E. xviij. con gregatis coram Rege apud Westm' epis copis Wynton' Bathon' Dunolm' Karl' e Magistro Will'o de Luda electo Elyens dominis Edmundo fratre domini Regis Will'o de Valenci avunculo ejusdem domini Regis G. de Clare comite Gloverni J. de Waren' comite Surrie H. de Lacy comite Lincolnie H de Bohun comite Herefordie et quibusdam aliis tam baron ibus quam magnatibus Anglie concordatum est et com muniter concessum quod ad auxilium ad primogenitan filiam Regis maritandam dentur de quolibet feodo xl. solid Ita scilicet quod non cedat eis in prejudicium presen concessio quin auxilium alias in casu consimili concedendun augeatur vel minuatur secundum quod magnates Anglie tun temporis duxerint concedendum et quod predictum auxiliun levetur de feodis sicut auxilium alias concessum levar consuevit.

[*Exch. Q.R. Memoranda* (n° 15 B), 17 & 18 *Edw.* I.]

A.D. 1302. 14 Oct. In the parliament which had been summoned to meet[3] 29 Sept. 1302 but afterwards (by writs of 13 Sept.) prorogued to the 14th of Octobe following, and then held, it was agreed that the levy of the Aid grante for marrying the king's eldest daughter should now be made. Accordingl

[1] Observe the words, "*in pleno parliamento*," cited below (p. 247 from *Foreign Accounts*, Roll n° 1.

[2] "cujus quidem levacioni faciende pro dicte communitatis aisiamento hucusque supersedimus graciose." [*Parliamentary Writs*, i. 132; printe from *Patent Roll*, 30 *Edw.* I. *m.* 1.]

[3] See *Parliamentary Writs*, i. 111, 114.

Edward issued writs, dated 7 Nov. 30th[1] year (1302), appointing to collect the aid in any county the sheriff, associated with one other person. In Lancashire the sheriff and *John Blundel* were nominated. They were commanded to levy and collect for the king's use forty shillings from every knight's fee, so as to have one moiety of the aid ready for delivery to the treasurer and chamberlains of the exchequer in eight days of the Purification B.V.M. next coming (9 Feb. 1302-3); and the other moiety on the morrow of Ascension-day following (17 May 1303).[2] All tenants of fees were commanded to answer and attend to the collectors in the matter; and at the same time, after reciting the writ issued for a particular county, the king informed the prelates, earls, barons, knights and all others of that county, as to the name of the collector who had been assigned to act in conjunction with the sheriff.

On the same day (7 Nov. 1302) the king sent writs[3] of summons to the earls, barons, and other his military tenants, requesting them to be at Berwick upon Tweed on Whitsunday next (26 May 1303), prepared with horses and arms to go with him against his enemies, the *Scots*, and to repress manfully and strenuously their rebellion. All prelates,[3] religious men and other ecclesiastics, with all widows and women, holding of himself in chief, or by serjeanty, were in like manner commanded to have at Berwick all their service at the date prefixed, in readiness for his projected expedition into Scotland.

EXTRACTE de feodis Militum in Comitatu Lancastrie ad primogenitam filiam Regis maritandam anno regni Regis E. xxxj^mo^.

WAPP' DE DERBYS[HIRE]

De Henrico de Lacy comite Lincolnie pro j. feodo militis in Apelton' cum membris... ... ... xl. s.

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[1] The return of knights' fees for the county of Derby (*Exch. Lay Subsidies*, 91/2) illustrates the use of the participles, *finiente*, *incipiente*, so often before insisted upon (pp. 151, 162, note 4, 181, note 3):— "Compotus Rad'i de Shirleye, Petri Pycot et Henr' de Braylesforde, collectorum auxilii feodorum in com. Derb' anno r. R. E. fil. R. H. xx° *finiente*, *incipiente* xxxj°, per Inquisiciones per ipsos collectores actas." At this early date, then, a "book of fees," which was referred to as a standard authority, existed in the exchequer: as by a note at the foot of the second membrane, that the collectors are charged for more fees than appear in their Accompt "per librum de feodis ad Scaccarium existentem."

[2] Printed in *Parliamentary Writs*, i. 132 (64) from *Patent Roll*, 30 Edw. I. *m.* 1.

[3] Printed in *Parliamentary Writs*, i. 366, 367.

De Roberto de Lathum tenente de eodem comite pro j. feodo in Knouslegh' ... ... xl. s.
De Gilberto le Norreys tenente de eodem comite pro j. feodo in Sutton' cum membris ... ... xl. s.
De Will' mo le Botiler ten' de comite Lanc' pro ij. feodis in Werington' cum membris ... ... iiij. li.
De Thoma de Grelleye ten' de eodem comite pro j. feodo in Childewell' cum membris ... ... xl. s.
De Ric'o de Molineus ten' de eodem comite pro dimidio feod' in Sefton' ... ... xx. s.
De Johanne de Langeton' ten' de eodem comite pro j. feodo in Lauton' et Kenian cum membris xl. s.
De Will' mo de Bradeshaghe pro xij[a] parte j. feodi in Haghe tent' de eodem comite ... ... xl. d.

Summa feodorum—vij. feoda et dimid' et xij[a] pars.
Summa denariorum—xv. li. iij. s. iiij. d.

Wapp' de Salford'

De Henrico de Bury ten' de comite Lincolnie pro j. feodo in Bury ... ... xl. s.
De Rogero de Middelton' ten' de eodem comite pro j. feodo in Middelton' cum membris ... xl. s.
De Galfrido de Chaderton' ten' de eodem comite pro iiij[ta] parte j. feodi in Chaderton' ... ... x. s.
De Johanne de Langeford' ten' de Thoma de Grelleye pro j. feodo in Whytinton' ... ... xl. s.
De Rogero de Pilkenton' ten' de eodem Thoma pro quarta parte j. feodi in Pilkenton' ... ... x.
De Rob'to de Holond Joh' Deuyas et Henr' de Trafford' tenentibus de eodem Thoma pro viij[va] parte j. feodi in Harewode ... ... v. s.
De Thoma de Grelleye pro j. feodo militis et dimidio in dominico suo in Barton' cum membris ... ... Lx. s.
De Elena de Thurbeke tenente de eodem Thoma pro viij[va] parte j. feodi in Thurton' ... ... v. s.
De Ric'o de Hulton' ten' de comite Lanc' pro vj[ta] parte j. feodi in Hordessale et Flixton' ... vj. s. viij. d.

De eodem Ric'o ten' de Thoma de Grelleye in Alywell' pro x. parte j. feodi... ... ... iiij. s.
De eodem Ric'o ten' de eodem Thoma pro x. parte j. feodi in Heton ... ... iiij. s.
De eodem Ric'o ten' de comite Lanc' pro vj^{ta} parte j. feodi in Penilton'... ... ... vj. s. viij. d.
De Ric'o de Ines et Ad' de Hyndelegh' ten' de Thoma de Grelleye pro viij^{va} parte j. feodi in Asphull' ... ... v. s.
De Abbate de Cokersand ten' de eodem Thoma pro xl^{a} parte j. feodi in Westhalton' ... ... xij. d.
De Ad' de Tottelawe ten' de comite Lanc' pro. xl^{a} parte j. feodi in Tettelagh' ... ... xij. d.
De Will'o de Anderton' ten' de Thoma de Grelleye pro iij^{a} parte j. feodi in Rumworthe et Lostoke j. marc.
De heredibus Rob'ti de parva Boulton' ten' de comite Lanc' pro xij^{a} parte j. feodi in Boulton' ... . xl. d.
De Rob'to de Holond et Joh'e Deuias ten' de comite Lanc' pro viij^{va} parte j. feodi in Brithmete... ... ... v. s.
De Ric'o de Radeclyve ten' de eodem comite pro viij^{a} parte j feodi in Radeclive ... ... v. s.
De Ad[am] de Urmestone ten' de eodem comite pro viij^{va} parte j. feodi in Urmestone ... ... v. s.

Summa feodorum—vj. feoda et di. et iiij^{ta} pars j. feodi.
Summa denariorum—xiij. li. x. s.

Wapp' de Laylond'

De heredibus Johannis de la Mare ten' de feodo de Horneby pro j. feodo in Croston' cum membris ... ... xl. s.
De Thoma de Grelleye pro iij^{bus} carucatis terre in Writington' et Perbaud unde decem faciunt feodum j. militis... ... ... x[ij. s.]
De Will'mo de Writington' ten' de Thoma de Grelleye pro di. feod' excepta x^{a} parte in W[r]itington ... ... [torn]

De Rob'to de Clayton' ten' de comite Lanc' pro x[a] parte j. feodi in Clayton' et xx[ma] parte j. feodi in Penewurtham ... ... vj. s.
De heredibus Warini de Walton' ten' de eodem comite pro x[a] parte j. feodi in Longeton' Leylond et Eukestone ... ... iiij. s.
De Rob'to de Withull' ten' de eodem comite pro x[a] parte j. feodi in Langeton' ... ... iiij. s.
De Abbate de Cokersand ten' de eodem comite pro iiij[ta] et xx[ma] parte in Hoton' ... ... xij. s.
De heredibus Rob'ti Banastre ten' de eodem comite in Shevinton' Chernoke et Walsewytill' pro iiij[ta] parte j. feodi... ... ... x. s.
Summa feodorum—ij. feoda et di. quarta pars et xx[a] pars j. feodi.
Summa denariorum—Cxij. s.

Wapp' de Ammund[ernes]

De Ingelramo de Gynes et Joh'ne de Rigmaiden tenentibus terras que fuerunt Will'i de Lanc[astria] pro di. f. in Geirstanke cum membris que tenent de comite Lanc' ... ... xx. s.
De Will'o le Botiller tenente de eodem comite in Laton' pro j. feodo ... ... xl. s.
De Edmundo le Botiller ten' de eodem comite in Whiteton pro di. feod' militis ... ... xx. s.
De Will'mo le Botiller et Edmundo le Botiler ten' de eodem comite pro di. feod' et x[a] parte j. feodi in Magna Merton'... ... ... xxiiij. s.
De Thoma de Bethum ten' de eodem comite pro iiij[ta] parte j. feodi in Kelgrimesarghe et Brining ... ... x. s.
De eodem Thoma ten' de comite Lincolnie pro iij[a] parte j. feodi in Warton' ... ... j. marc'
De Ad[am] de Frekelton' ten' de comite Linc' pro j. feodo in Frekelton' Wytingham Neuton' et Elleswyke pro j. feodo ... ... xl. s.
De Edm'o le Botiller ten' de comite Lanc' pro x[a] parte j feodi in Mithope ... ... iiij. s.

De Will'mo de Preez ten' de comite Linc' pro iiij^{ta} parte j. feodi in Preez et Neuton'... ... ... x. s.
De Abbate de Walleye ten' de feodo comitis Lanc' pro di. feod' in Steyninge ... ... xx. s.
Summa feodorum—v. feoda et xxviij^{a} pars.
Summa denariorum—x. li. xvj. d.

Wapp' de Lonesdale

De Margareta de Neville tenente de comite Lanc' pro ij^{bus} feodis militum in Horneby ... ... iiij. li.
De Will'o de Dacre ten' de eodem comite pro j. feodo militis in Halton' et Fisshewyke quod dicit se tenere de comite Lanc' et quondam de domino Rege pro forestar[ia] Et jam tenet pro iiij^{a} parte j. feodi ... ... x. s.
De Will'o de Burgo herede Ad[e] de Middelton' ten' de eodem pro xiiij^{a} parte j. feodi in Midd[elton] .. .. ij. s. x. d.
De Ingelramo de Gynes Marmeduco de Twenge et heredibus Joh'is de Bella aqua ten' terras que fuerunt Will'i de Lanc' ten' de eodem comite pro di. feod'... ... ... xx. s.
De eodem Ingelramo ten' de eodem comite pro iiij^{a} parte et vj^{ta} parte feodi militis in Wytington et Yeland ... ... xvj. s. vj. d.
De Will'o de Heton' ten' de feod' comitis Linc' pro xiiij^{a} parte feodi in Heton' ... ... ij. s. x. d.
De Joh'ne de Haveri[n]gton' ten' de Abbate de Furneys pro xl^{a} parte j. feodi in Aldingham xij. d.
Summa—iij. feoda et iiij^{a} et xij^{a} pars j. feodi.
Summa denariorum—vj. li. xiij. s. ij. d

Wapp' de Blakeb[urn]

De Joh'ne de Langeton' ten' de comite Linc' pro j. feodo in Waleton' in le Dale cum membris xl. s.
De Thoma de Alta ripa ten' de eodem comite pro iij^{a} parte j. feodi in Hapton' ... ... xiij. s. iiij. d.

De Simone de Alnetham ten' de eodem comite pro di. feod' in Alnetham cum membris ... xx. s.
De Will'mo de Pothaw ten' de eodem comite pro viij^{a} parte feodi in Felering' [*Folerige*] ... v. s.
De Henrico de Donum ten' de eodem comite pro iij^{a} parte j. feodi in Donum ... ... xiij. s. iiij. d.
De Joh'ne de Twysilton' ten' de eodem comite pro viij^{va} parte j. feodi in Twysilton' ... ... v. s.
De Rogero Noel et Rogero filio ejus ten' de eodem comite pro iiij^{ta} parte j. feodi in Magna Merley... ... ... x. s.
De Joh'ne de Caterhale et participibus suis ten' de eodem comite pro viij^{a} parte j. feodi in Thunleye cum membris ... ... v. s.
De Will'o de Horkeythe et participibus suis ten' de eodem comite pro iiij^{a} et viij^{va} parte j. feodi in Magna Harwode ... ... xv. s.
De eodem Will'o et participibus suis ten' de eodem comite pro x^{a} parte j. feodi in Rouston' ... iiij. s.
De Gilberto de Leghe ten' de eodem comite pro viij^{a} parte j. feodi in Extwysel ... ... v. s.
De Abbate de Walleye et Joh'e de Hulton' ten' de eodem comite pro iiij^{a} parte j. feodi in Blakb' [? *Blakeburn*] ... ... x. s.
De Galfrido de Chaderton' ten' de eodem comite pro viij^{a} parte j. feodi in Wytton'... ... ... v. s.
De Joh'e de Knolle ten' de eodem comite pro viij^{a} parte j. feodi in Thorndeleghe et Wetteleye ... ... v. s.
De Rob'to de Hoppehale ten' de eodem comite pro viij^{a} parte j. feodi in Aghton'... ... ... v. s.
De Joh'ne de Shutlesvrthe et participibus suis ten' de eodem comite pro viij^{a} parte j. feodi in Hulton' ... ... v. s.
De Joh'e filio Roberti del Halle ten' de eodem pro xl^{a} parte j. feodi ... ... xij. d.
De Petro de Altancotes ten' de eodem comite pro xx^{ma} parte j. feodi ... ... ij. s.
De Rico' filio Ad[e] ten' de eodem comite pro xl. parte j. feodi ... ... xij. d.

De Will'o de Wymundhouses ten' de eodem comite
pro xl[a] parte j. feodi ... ... xij. d.
Summa feodorum—iiij. feoda et iiij.[a]
pars j. feodi et lx[a] pars j. feodi.
Summa denariorum—viij. li. x. s. viij. d.

Summa omnium feodorum Com. Lanc.—xxix
feoda et di. et iiij[a] pars j. feodi et iiij[xx]. pars j.
feodi.
Summa denariorum[1]—Lix. li. x. s. vj. d.

The receipts for the aid as returned by the several collectors are found in Roll n° 1 of *Foreign Accounts*, so often before quoted (pp. 15, 41, 134, &c).

De Auxilio

Auxilium per prelatos comites barones et ceteros magnates de regno pro se et tota communitate ejusdem regni Regi E. filio Regis H. in parliamento suo apud Westm' anno xviij. concessum ad primogenitam filiam ipsius Regis E. maritandam de singulis feodis militum in dicto regno quolibet videlicet feodo assesso ad xl. solidos sicut continetur in Memor' anni xviij. termino Pasche et in Originali anni xxxj. In quo continetur quod primo die Julij[2] anno xviij. in pleno parliamento Regis prelati comites barones et ceteri magnates de regno concorditer pro se et tota communitate regni Regi concesserunt de singulis feodis militum in regno in auxilium ad primogenitam filiam Regis maritandam.

Compotus Roberti Herewarde vicecomitis Norff' defuncti unius collector' dicti auxilii in com. Norff' Joh'is Herewarde filii et heredis ejusdem Rob'ti pro eo et Joh'is le Breton' alterius collector' ejusdem auxilii in com. predicto de supradicto auxilio com. predicti per breve Regis patens cujus tenor annotatur in Originali anni xxxj. Norff'

Iidem reddunt compotum de xx. li. xiij. s. iiij. d. de predicto auxilio singulorum feodorum que de Rege vel de aliis

[1] See the reference (p. 126) to the Aid in 20 (*not* 30, as misprinted) *Edw.* III. for knighting the king's eldest son, on which occasion the sum of money was £59 10*s.* 4*d.*

[2] A palpable error for "Junii" as before seen (p. 240) in the quotation from *Memoranda* (*Q.R.*), 17 & 18 *Edw.* I.

tenentur infra Hundredum de Tunstede videlicet de x. feodis et tercia parte unius feodi militis sicut continetur in Rotulo de particulis quem iidem collectores liberaverunt in thesauro et in inquisicionibus factis per eosdem collectores de feodis supradictis quas inquisiciones similiter liberaverunt in Thesauro. Et de *etc.*

Summa Recepte DCCCC. j. li. xij. s. ij. d. In thesauro DCCC. xliij. li xj. s. xj. d. in vj. talleis. Et Abbas de Langeleye *etc.*

[*Exch. L.T.R. Foreign Accounts*, Roll 11° 1, *m.* 37.]

COMPARATIVE TABLE OF RECEIPTS OF THE AID FOR MARRYING THE KING'S ELDEST DAUGHTER.

County	£.	s.	d.
Berks	222	6	8
Cornwall	330	1	8
Cumberland	17	10	3½
Devon	729	0	9¼
Essex	529	14	4
Hertford	170	13	0
Kent	518	18	3½
LANCASTER	59	10	6
Lincoln	884	2	11½
Middlesex	31	12	0
Norfolk	901	12	2
Suffolk	588	5	7
Surrey	164	2	1
Sussex	427	7	6
York—N. Riding	225	14	0
E. Riding	232	6	0½
W. Riding	239	7	5¼

Respite of this Aid.

The king granted to various persons respite of the foregoing aid up to certain fixed terms. Thus in Lancashire (with many other counties) *Thomas Grelle*, going to Scotland with *Edward* prince of *Wales* and earl of *Chester*, had respite on 9 May 1303 till Michaelmas following; and *m.* 3.

m. 2. *Henry* de *Lacy* earl of *Lincoln*, staying in Gascony in the king's service on 11 Sept. 1303 till Easter following.[1]

[1] *Tower. Miscellaneous Rolls*, 117; now (Dec. 1890) known as *Chancery Miscellaneous Rolls*, 11/13. [*Second Report of Deputy Keeper*, App. ii. 59.]

Tallage[1] in Cities, Boroughs and the king's demesnes

assessed in the 32nd year of the reign.

(*)

A.D. 1303-4.

In the 32nd year of his reign the king, being at Dunfermline on the sixth of February[2] 1303-4, issued commissions to various persons for the assessment of tallage in cities, boroughs and his own demesnes within certain specified counties. Thus *Roger* de *Hegham*, *Walter* de *Gloucestre* and *John* de *Sandale*, or two of them, were nominated to act in the counties of Kent, Middlesex, Surrey and Sussex. In order that the tax might be raised as soon as possible, they were commanded to go at once to the cities, boroughs and demesnes aforesaid, and to assess tallage according to the ability of the tenants, not sparing the rich, or aggrieving the poor. The estreats of the whole tallage were to be delivered to certain persons chosen by them, in order that the money might be obtained without delay and answered at the exchequer. *Walter* de *Gloucestre* and *John* de *Sandale* were informed, each of his appointment, but severally directed to do nothing without *Roger* de *Hegham* being present with one or other of them. In like manner *Adam* de *Crokedayke*, *John* de *Kirkeby* and *Michael* de *Harcla*, or two of them, were assigned to the counties of Lancaster, Cumberland and Westmoreland; and neither *Adam*, nor *Michael*, was to do any thing without *John* de *Kirkeby*. No accompt of Tallage is found, however, for this county; and no mention is made of a single payment for Lancashire in the Receipt-roll[3] of Tallage, commencing in Easter-term, 32 *Edw.* I. This roll (in a very excellent state) begins on Tuesday the seventh of April, 1304. As before done under the TWELFTH and EIGHTH (p. 194) a few entries are subjoined :—

Rotulus Recepte Talliagii dominicorum Regis Edwardi filii R.H. talliatorum in Anglia anno regni sui tricesimo secundo in termino Pasche.

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[1] No documents found for LANCASHIRE.

[2] *Patent Roll* (123), 32 *Edw.* I. *m.* 27 schedule. In this roll is found an earlier writ, dated also at Dunfermline 20th January (1303-4), which appoints assessors of tallage in the city of York.

[3] Reference was made above (p. 193) to this roll, as showing that Easter-term in the Court of Exchequer commenced on Tuesday after the Close of Easter, *i.e.* Tuesday-week after Easter-day, or eight days before the other Courts.

Die Martis vij° die April'

Cantebr' D'[1] Simon' de Stocton' ballivo Cantebr' pro hominibus ejusdem de talliag' eorundem ... ... iiij^{xx} li.

Summa. iiij^{xx} li.

Die Veneris x° die April'

Ebor' D' Ballivis Civitatis Ebor' de Tallag' Civium ejusdem Civitatis ... ... Liiij. li. xj. s. viij. d.

Summa. Liiij. li. xj. s. viiij. d.

Die Sabati sequen'

Linc' D' Civibus Lincoln' de Tallag' eorundem ... ... C. li.

Summa. C. li.

Die Lune xiij° die April'

Suth't D' Civibus Wynton' de Tallag' eorundem ... ... CC. mar.

Glouc' D' Hominibus Glouc' de fine pro tallag' eorundem... C. li.

Die Sabati xviij die April'

Salop' D' Hominibus Salop' de fine pro tallag' eorundem... C. iiij^{xx} li.

So the receipt proceeds:—Wednesday, 22 April, the men of Stafford, fine for tallage, 100 marks; Thursday, 30 April, the men of Ipswich, tallage, £60; Monday, 11 May, the men of Newcastle-upon-Tyne, tallage, £104; Tuesday (12 May), the men of Bristol, tallage, £200.

RECEIPT to this date, £1,078 11*s.* 8*d.*

Then, after the feast of Holy Trinity:—Friday, 29 May, the citizens of York, £12; Saturday (30 May), the sheriffs and aldermen (named) of the several wards (twenty-four) in the city of London, £1,025 1*s.* 10*d.* After which, other sums.

RECEIPT from Trinity-sunday (24 May), to Saturday, 18 July, £1,816 19*s.* 3½*d.*

Next, the tallage *in medio tempore*, the receipt of which begins on Wednesday, 5 August, and ends on Saturday, 19 September.

RECEIPT *medii temporis*, £372 16*s.* 4*d.*

SUM TOTAL, £3,268 7*s.* 3½*d.*

[*Exch. Treasury of Receipt. Miscellanea*, 45/7.]

Further relating to this Tallage, there is another roll—with the same number, 45/7 (p. 193, note 5)—which shows receipts in Michaelmas-term 34 *Edw.* I. (1306), but two entries only (12 Oct. and 3 Nov.), as follows:—

Rotulus Recepte Tallagii dominicorum Regis in termino Sancti Michaelis anno regni Regis E. xxxiiij^{to} finiente.[2]

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[1] D' is a contraction for *De*, meaning "of" or "from."

[2] Observe the participle, *finiente*, not used as dogmatically laid down by Sir *Harris Nicolas* (p. 149), but in the sense before explained (p. 151). Michaelmas-term 34 & 35 *Edw.* I. (year-letter B, Easter-day 3 April) began 10 October and ended 28 November (1306). [Bond's *Handy-Book*, &c. 179.]

¶ Die Martis[1] xij° die Octobr'

D' Executoribus testamenti Will' i de Beton' nuper aldermanni de Warda Ripe Regine de Tallagio x.. s. — London'

Summa patet.

¶ Die Jovis iij° die Novembr'

D' Joh'e de la Lee nuper vic' pro hominibus de Neuport de Tallagio suo ... ... xij. li. — Essex'

Summa patet.

A Tallage-roll, consisting of five membranes (in a fair state of preservation), remains for the town and barton of Gloucester.[2] Although the assessment was actually made upon individuals—severally, by the poll[3] (*per capita*)—whose names are written down with sums of money against them,[4] the men of *Gloucester* elected to fine for their tallage in the sum of £100—paid (as above seen) on Monday, 13 April 1304—but the whole amount laid upon them was no more than £77 2*s*. 10*d*., viz. for the town, £71 6*s*. 10*d*., and for the barton £5 16*s*.; as appears by the sum at foot of each section :—

[*m*. 4] "Summa totalis tallagii assessi super homines ville de Glouc' tam de catallis quam de redditibus suis—lxxj. li. vj. s. x. d."

[*m*. 5] "Summa tallagii hominum Bertone—Cxvj. s."

Relating to the same fine, or composition, there are these *memoranda* on the first membrane:—

"Istud tallagium tangens homines ville Glouc' cancellatur hic quia iidem homines postmodum fecerunt finem coram W. de Langeton' Coventr' et Lich' episcopo thesaurario Regis predicti anno xxxij° predicti Regis pro tallagio suo sicut infra continetur."

[Then a little below]

"Glouc' ¶Homines ville Glouc' finem fecerunt coram W. de Langeton' Coventr' et Lych' ep' o thes' R. anno xxxij. R. E. fil. H. pro tallagio suo de eodem anno ... ... pro C. li."

The identity of these five membranes (which are united at the head) is fully established by a note, that these five "rolls" (as they are called) were received by the treasurer on behalf of the executors of *Peter* de *Leycestre* [one of the collectors] on the sixth of October in the thirty-second year (1304). Witness the words following:—

"Hos quinque rotulos recepit Thesaurarius per manus Ric' de Notingham ex parte executorum testamenti Petri de Leycestr' vj. die Octobris anno r. R. E. xxxij."

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[1] Tuesday in 1306 was the *eleventh* of October, not the twelfth.

[2] *Exchequer. Lay Subsidies* (Gloucester), 113/3.

[3] The alternative of assessment by the poll (*per capita*), or in gross (*in communi*), has been mentioned before (p. 109) under "TALLAGE." It is also laid down here, as seen in the Accompt cited below (p. 252) at the sign ☞.

[4] Thus:— "Villa Glouc'

"De Will'o de Whitffelde ... liij. s. iiij. d."

Another tallage-roll[1] (rather injured in parts), of one membrane only, exists for the city of Rochester with Great and Little Delse, Borstalle and Strode, giving names of persons in these places assessed *per capita*. This roll, from a memorandum on the dorse, was received on the same day (6 Oct. 1304) by the treasurer, at the hands of *Roger* de *Hotham* baron of the exchequer.

Both the foregoing returns (for Gloucester and Rochester) must have been consulted for the tallage assessed in 6 *Edw.* II., to judge from a further memorandum on each in these words:—

[Glouc.] "Et summoniti fuerunt xx. die Junii anno r. R.E. fil. R.E. quinto sub testimonio W. de Norwyco tenentis locum thesaurarii."
[*Exch. Lay Subs.* 113/3.]

[Kent.] "Et summonitus fuit xx. die Junii anno r. R.E. fil. R.E. quinto sub testimonio W. de Norwyco tenentis locum thesaurarii."
[*Exch. Lay Subs.* 123/7.]

The Receipts of Tallage in divers counties are set forth in an Accompt which was formerly attached to the *Pipe Roll* of 35 *Edw.* I., but is now found in a Roll (n° 2) of *Foreign*[2] *Accounts* of the Exchequer. A description of the tax, entitled "First[3] and Last Tallage of the time of king *Edward* son of king *Henry* assessed in the thirty-second year of his reign," forms a heading in the words quoted below; to which are added a few particulars of the sums received from the city of York, &c., in the absence (as before remarked, p. 249) of anything specifically referring to LANCASHIRE.

Compotus de Tallagio diversorum [*In dorso*]

PRIMUM tallagium et ultimum de tempore Regis E. filii Regis H. assessum anno regni ejusdem Regis E. xxxij. in Civitatibus Burgis et dominicis Regis infra Com. Anglie per diversos assignatos per Regem ad dictum tallagium in hujusmodi Civitatibus Burgis et dominicis Regis separatim per ☞ capita vel in communi prout ad commodum Regis magis viderint expedire assidendum et ad extractas tocius predicti

[1] *Exchequer. Lay Subsidies* (Kent), 123/7.

[2] The term "foreign" is used to denote such accounts as are *foreign* to, or lie beyond, the ordinary cognizance of the sheriff.

[3] This is true of the country generally, but tallage was certainly ordered to be assessed in the first year of the reign (see p. 156), before *Edward*'s return from the Holy Land. Probably at that time it was laid upon the king's demesnes only. There is evidence that the tenants of certain manors were subject to tallage by their lords every year. Thus it is recorded concerning the men of Hedon in Holderness (Yorkshire)—"*quia quolibet anno talliantur*" (*Inq. p. m.* 9 *Edw.* I. n° 5); and again, of a manor in Somerset—"*Preter tallagium eorundem quod valet per annum xxvj. s. viij. d.*" (*Inq. p. m.* 1 *Edw.* I. n° 16, *m.* 12).

allagii sub sigillis suis liberandas certis personis per ipsos Assessores eligendis ad tallagium illud levandum et Regi inde ad Scaccarium respondendum sicut continetur in Orig. anni xxxij.

Civitas Ebor'

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* * * * *
* * * * * *

[*Exch. L.T.R. Foreign Accounts*, Roll n° 2.]

The city of York yields £318 18*s.* 2d.; Brustwyke, £111 19*s.* 10d.; Esynton, £53 0*s.* 9*d.*; Knaresburgh, £27 14*s.* 0½*d.* About 290 names of persons (some being abbots and priors) assessed in the city of York are entered in a list. Here also are set down the returns, ward by ward, for the city of London. Taking six of these at random, the amounts received are shown in the following table :—

City of London *Wards.*	Chattels £. *s.* *d.*	Rents £. *s.* *d.*	Total £. *s.* *d.*
Bassingeshawe ...	13 0 0	4 8 0	17 8 0
Billingesgate	27 0 5	15 7 3	42 7 8
Cornhull	7 17 9	12 4 10	20 2 7
Cripelgate	76 17 4	37 7 11	114 5 3
Farndone	103 13 5	39 9 9	143 3 3
Walebroke	79 18 0	18 1 9	97 19 9

The tax was laid (as here seen) upon chattels (*catallis* vel *mobilibus*), and upon rents (*redditibus*), but the proportion is not stated. Most probably, however, it was a FIFTEENTH of chattels, and a TENTH of rents ; as in the case of a Tallage[1] raised a few years (6 *Edw.* II.) after in divers towns in the county of Gloucester.

Thirtieth[2] & Twentieth of Moveable Goods

payable at three terms

3 Feb. 1306-7, 5 June and 3 Nov. 1307.

(*)

A° 34° Edw. I.

The Parliament, which met at Westminster on the thirtieth of May 1306, unanimously granted to the king an AID for knighting his eldest son, namely; in counties a THIRTIETH part, in cities, boroughs and royal demesnes a

30 May 1306.

[1] *Exchequer Q.R. Lay Subsidies. Gloucestershire*, 113/4. Here, under "Bristoll"—"Taxacio Quintedecime bonorum et Decime reddituum in quarterio Omnium Sanctorum."

[2] No documents are now to be found for LANCASHIRE.

TWENTIETH part, of all moveable goods in possession of any one on Michaelmas-day following (29 Sept. 1306.)

A.D. 1306. THE king having ordained that *Edward* his eldest son (now in his twenty-second year[1]) should be girt with the belt of knighthood at the 22 May. coming feast of Pentecost (22 May) in the year 1306, and being entitled in right of his crown to an AID for this purpose, he issued writs[2] of summons, on the fifth of April immediately preceding, for a parliament to be holden at Westminster on the morrow of Holy Trinity following 30 May. (30 May). To this parliament were summoned the prelates, earls, barons and other magnates, together with two knights of the shire in every county, and two citizens from every city, and two burgesses (or one, according to its size) from every borough.

On the following day (6 April) the sheriffs were commanded to have public proclamation made throughout their bailiwicks, that all those who wished to be knights should come before Whitsunday (22 May) to receive by the king's gift the necessaries for knighthood[3] out of the royal wardrobe, in order that they might be knighted on the same day as his eldest son.[4]

Consequent upon the assembly of parliament at the day fixed, and after the king's right to an aid had been shown, there was unanimously granted to *Edward*, in counties, a Thirtieth of all moveable (temporal) goods which should happen to be in the possession of any one on Michaelmas-day following (29 Sept. 1306), as a competent aid for knighting his eldest son, and also towards defraying the manifold costs and charges about to be incurred by him in repressing the rebellion of the traitor, *Robert* de *Bruys*[5] (*Bruce*), and of his adherents in Scotland;

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[1] He was born (as before stated, p. 206, note 2) at Carnarvon on the 25th of April 1284.

[2] Printed in Rymer's *Fœdera;* and in *Parliamentary Writs*, i. 164.

[3] See the reference below (p. 264) to a roll, setting out these "necessaries" furnished out of the king's wardrobe, together with names of some of the knights to whom they were given.

[4] "... *quod omnes illi qui milites non sunt et milites ejse voluerint veniant usque London' citra diem Pentecostes proximo futurum ad apparatus suos eis in hoc casu necessarios de garderoba nostra recipiendos de dono nostro ut arma militaria de nobis ibidem suscipere valeant dicto die. Teste ut supra* [i.e. *Teste rege apud Wolveseye vj. die Aprilis*]. "*Eodem modo mandatum est singulis vicecomitibus Anglie.*" [*Parliamentary Writs*, i. 347.]

[5] The murder of *John Comyn* by *Robert Bruce* before the high altar in the church of the *Friars Minors* at Dumfries was perpetrated on the tenth of February 1305–6. Shortly after, *Bruce*, who was earl of *Carrick*, and grandson of the old competitor, asserted his claim to the *Scottish* crown which he received at Scone 27 March 1306. [*Annals of Scotland* by Sir *David Dalrymple*, lord *Hailes* (ed. 1797), i. 320; ii. i.]

), nevertheless, that this grant should not in time to come tend in any ise to the prejudice of those now consenting, or of their heirs or ıccessors, and should not in a similar case be drawn into a precedent; nd that, in taxing these goods, all those should be excepted which were xcepted in the FIFTEENTH, granted to the king (p. 178) on account of ıe banishment of the *Jews*. On behalf of the citizens, burgesses and :nants of royal demesnes, who were also present at the same time, a 'wentieth of their moveable goods in possession on the day before amed (29 Sept.) was by common assent granted to the king for the urposes above stated.

A circumstantial account of this parliament with the names of many relates, earls, barons and others who attended in person, or appeared y proctors and attorneys, is recorded in the *Memoranda*[1] of both :emembrancers. From the writs "*de expensis*" being dated[2] on the ame day as that for which it was summoned, it has been inferred that ıis parliament sat for one day[3] only (30 May). It will be observed that ı the Accompt cited below (p. 259) it is stated, that the Thirtieth and 'wentieth were granted on the 22nd day of July in the 34th year *xxij. die Julii anno xxxiiij*^to^ *concess*'). As seen hereafter, the writs ppointing taxors are dated on that day. The agreement between the ate of a subsidy being granted, and that of the writ assigning persons ı the several counties for its levy and collection, has been before ointed out (p. 199); but, in this instance, it is impossible to reconcile he date, 22 July, with the day fixed (30 May) for the meeting of the arliament, in which, as shown by the citations given (p. 254), it is bsolutely placed upon record that the grant in question was made.[4]

By writs,[5] dated at Beverley 22 July 1306, and directed to the knights, ree men and commonalties of counties, after reciting the grant made by

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[1] *Exch. Q. R.* 34 *Edw.* I. (n° 30) Ro. 40; *L. T. R.* 33 & 34 *Edw.* I. n° 34) Ro. 43. From the latter source *Brady* has printed a full ranscript in his *Introduction to the Old English History*, Appendix, age 29.

[2] See the form printed in *Parliamentary Writs*, i. 177. No original rit, ordering the return of knights for *Lancashire*, has been found; nd no writ for payment of their expenses is inrolled in *Close Roll*, 4 *Edw.* I. *m.* 11. d., where those for other counties appear.

[3] "As the writs for levying the wages and expences of the knights of hires, bear date on *May* 30, the parliament seems to have sat but a day: nd this seems to have its onely business." [CARTE (Tho.)—*General Hist. of England*, ii. 297.]

[4] Take, moreover, the evidence afforded by *Edward*'s itinerary. He vas at Westminster from 20 May to 8 June, at Saint Albans from 2 to 19 June; after which he went through the counties of Bedford, Northampton and Lincoln to York, where he was on the 29th of July.

[5] Printed in *Parliamentary Writs*, i. 178 (48), from the *Patent Roll*, 34 *Edward* I. *m.* 12. 22 July

Parliament, the king assigned certain persons to assess and tax in counties the THIRTIETH, and in cities, boroughs and royal demesnes the TWENTIETH, of all temporal moveable goods, subject to such exceptions as were usual in the like grant of a subsidy. They were commanded to levy and collect the money coming therefrom, so as to have it ready for delivery, in equal portions, at specified terms, namely on the morrow of the Purification B.V.M. (3 Feb. 1306-7); in eight days of Holy Trinity (5 June 1307); and on the morrow of All Souls then next ensuing (3 Nov. 1307). These taxors and collectors (two, three, or four in a county) were to be assisted by a clerk, whom they were to elect, and to be responsible for when chosen. The persons so assigned in LANCASHIRE were *Eustace* (Eustachius) *de Godesbeche*,[1] parson (or rector) of the church of Preston, and *John Gentil.* They, or one of them when both could not be present, were enjoined to proceed with the levy and collection according to the form delivered to them; and the knights free men and commonalty of this county were ordered to attend and assist them, or one of them, and the clerk whom they had chosen whensoever required by them, or either of them, on the king's behalf.

The method to be adopted for the levy and collection of this tax having been determined by the king's council on the morrow (26 July) of S. *James* the Apostle[2] in the 34th year (1306), the form which hereafter follows (turned into an *English* abstract) was thereupon issued for the guidance of the taxors and collectors.

Form[3] of assessing and levying the Thirtieth and Twentieth.

The chief assessors of every county shall assemble before them from every hundred and from every city, borough and royal demesne, the most honourable men, from whom they shall elect twelve in every hundred, and others in each city borough and king's demesne, who are most able to assess and tax the goods of every one, wherever they may be—in the field, house, or elsewhere—on Michaelmas-day in the 34th year (29th Sept. 1306), and since the first day of August immediately preceding. All these so elected to be sworn before the chief assessors upon the Holy Gospels. The twelve

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[1] He seems to be identical with *Eustace* de *Godesbeche* (*Cotesbache*, *Codesbache*), who was made Chamberlain of *Scotland* (10 Sept. 1307) by *Edw.* II., and died before 13 Feb. 1308-9. [BAIN (J.)—*Calendar of Documents relating to Scotland*, iii. 74.]

[2] This fact is recorded in the *Memoranda* of both Remembrancers in these words which immediately precede the (*French*) form :—"Forma taxandi et levandi tricesimam et vicesimam domino Regi concessas facta per consilium Regis modo in crastino Sancti Jacobi etc. subsequitur in hac forma." [*Q.R.* (30) 34 *Edw.* I. Ro. 44; *L.T.R.* (34) 33 & 34 *Edw.* I Ro. 47]

[3] Printed in *Parliamentary Writs*, i. 179 (48). See also *Exchequer Memoranda* at the references given in note 2.

shall take to them in every town four lawful men and the reeve, who shall swear to assist them to the best of their knowledge and power in making the taxation to the king's use. Those who are ordained to be sub-taxors in cities, boroughs and demesnes, shall take to them from these places such others as can best aid them. The twelve together with the four men and the reeve shall go from town to town, and from house to house in every town, within the hundred to which they are assigned. Also the taxors in cities, boroughs, and the king's demesnes, with those whom they have chosen, shall go from house to house and view the goods of everyone. These they shall cause to be plainly set down in a roll, and then assess and tax them. They shall make those assessed swear and acknowledge all the goods in their possession at the times abovesaid, and which are now parted with, by sale or otherwise. These last named, like others, shall be assessed and taxed at their true value. The names of all those who have concealed anything shall be made known to the chief taxors, that they may be reported to the treasurer and barons of the exchequer, who shall do therein what the king has ordained. The chief assessors with their clerk, after receiving the oath of the twelve in hundreds, and of the others in cities, boroughs and demesnes, shall go from hundred to hundred, and from town to town, in order to see and inquire if the goods of all are lawfully taxed to the king's use. If they find any default, they shall redress it at their discretion in the best manner they know, and show to the treasurer and barons the names of all those whom they shall find to have trespassed against their oath. The taxation of goods belonging to the four men and the reeve in towns shall be made by the twelve of every hundred, whose goods and those of the sub-taxors in cities, boroughs and demesnes, shall be taxed by the chief assessors, and by other good and lawful men whom they shall elect, not being of affinity to those taxed by them. The taxation of goods of the chief taxors and their clerk shall be reserved to the treasurer and barons of the exchequer. As soon as the taxation is made, the Thirtieth and Twentieth shall be levied in the form delivered on the king's behalf. Taxation to be made as well of goods of prelates, clerks, religious men and their people as of others, whose goods belong to a lay fee. In so doing, there shall be excepted armour, riding-horses, jewels and gowns (*robes* Fr.) for knights, gentle men and their wives; also their vessels of gold, silver and brass.[1] These reservations are not to take place in cities, boroughs, or other towns, as to the goods of traders (*marchands*); but whatever they have is to be taxed without excepting anything. The taxors shall cause two rolls, agreeing in all points, to be made of such taxation. One they shall retain in order to levy the tax, and the other they shall have at the exchequer for delivery

[1] This clause of exceptions (rendered also in *Latin* by the Accompt below, p. 260) is identical with that ordained (p. 178, note 1) for the FIFTEENTH, granted on account of the banishment of the *Jews*. See also page 171, note 2.

to the treasurer and barons, on the morrow of Candlemas (3 Feb. 1306-7), on which day they shall make their first payment. And the king wills that the taxors, after performing the things above said, shall have their expenses from himself, as others in like case have had in times gone by.

Afterwards,[1] in Michaelmas-term of the same year (1306), it was agreed by the treasurer, chancellor of England, barons of the exchequer, and others of the king's council that, of those whose goods did not amount to the value of ten shillings, nothing should be required or levied, by reason of the Thirtieth and Twentieth. The taxors and collectors were accordingly commanded by writs of the said Michaelmas-term to observe this exception, and, if anything had been already levied, to restore the money.

There yet remains among the Exchequer records[2] a receipt-roll (in a clean and perfect state) of the Thirtieth and Twentieth, which commences on the usual first day of Easter-term[3] in the Court of Exchequer, *i.e.* nine days (or the Tuesday-week) after Easter, on Tuesday the fourth of April in 35 Edw. I. (or 1307). In the manner before used (pp. 194, 249) the first portion of the roll is transcribed :—

Recept' Tricesime et Vicesime in termino Pasche anno R. R. E. xxxv^to
Die Martis iiij. die April'

Warr' D'[4] Ph'o de Gayton' et Thom' de Garshale coll' xxx^e et xx^e in com. Warr' ... ... Clxxiij. li. j. mar.

Bedef' D' Waltero de Molesworth' et sociis suis coll' xxx^e et xx^e in com. Bedef' ... ... lviij. li.

Salop' D' Thom' de Roshale et sociis suis coll' xxx^e et xx^e in com. Salop' ... ... CCl. li.

Suff' D' Alano de Goldingham et Rob'to de Reydon' coll' xxx^e et xx^e in com. Suff' ... ... CCCC. iiij^xx li.

Summa. DCCCC. lxj. li. j. mar.
Die Mercurii sequen'

Cantebr' D' Will'o de Sancto Georgio et Joh'e de Creke coll' xxx^e et xx^e in com. Cantebr' ... ... xxx. li.

Derb' D' Henr' de Brailesford' et Henr' de Knyveton' coll' xxx^e et xx^e in com. Derb' ... ... xxiiij. li. iiij. s. j. d.

Wygorn' D' Will'o Fokerham et Simon' de Crombe coll' xxx^e et xx^e in com. Wygorn... ... ... Clxv. li.

Summa. CC. xix. li. iiij. s. j. d.
Die Jovis sequen'

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[1] *Exch. L. T. R. Memoranda* (n° 34), 33 & 34 *Edw.* I. Ro. 47 dorso.

[2] *Exchequer. Treasury of Receipt. Miscellanea*, 44/3.

[3] Attention has been already (p. 193) called to this peculiarity which is again exemplified here, for Easter-day fell in the year 1307 on the 26th of March, and the Tuesday-week following was the fourth of April. See also p. 249, note 2.

[4] D' is a contraction for *De*, meaning "of" or "from."

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So much suffices to show the character of the roll; and, as there is nothing entered here for LANCASHIRE, the remaining items are passed over, and a general statement is appended, giving the total receipt within the limits of this accompt.

A.D. 1307. SUMMARY OF RECEIPTS

	£.	s.	d.
From Tuesday 4 April to Monday the first of May (both days included)	6,386	12	2½
AFTER THE FEAST OF HOLY TRINITY			
From Wednesday 24 May to Saturday 8 July (both days included)	8,399	15	7½
IN MEDIO TEMPORE			
Wed. 26 July.			
From the citizens of London for having pardon of the Twentieth	200	0	0
	£14,986	7	10

Several items are here entered, as received from the citizens of *London*, under the form—"De civibus London' pro habenda perdonacione vicesime Regi concesse"—*e.g.* Friday 28 April, 500 marks (or £333 6*s.* 8*d.*); Thursday 29 June, 500 marks (or £333 6*s.* 8*d.*); Monday 3 July, £34 9*s.* 4*d.*; Saturday 8 July, two sums of £20 7*s.* 4*d.* and £666 13*s.* 4*d.* (or £667 0*s.* 8*d.*); lastly (as above cited) Wednesday 26 July, £200: the total amount of these sums being £1,588 3*s.* 4*d.*

The Accounts, rendered by the collectors of the Thirtieth and Twentieth were formerly attached to the *Pipe Roll*, 35 *Edw.* I. but are now placed with other *Foreign Accounts* in Roll n° 2, from which the entries subjoined are extracted :—

De Tricesima et Vicesima Regi concessis anno xxxiiij^to

COMPOTUS Rad'i Pagnel Rad'i de Littelbyry Henr' de Baiocis et David de Fletewike taxatorum et collectorum xxx^me et xx^e Com. Linc' Regi xxij. die Julii anno xxxiiij^to concessarum per archiepiscopos episcopos abbates priores comites barones milites liberos homines ac communitates LINC'

comitatuum regni in auxilium ad Edwardum filium suum primogenitum militem faciendum ac eciam in auxilium misarum et onerum quamplurim' ipsi Regi incumbencium ad rebellionem et maliciam Roberti de Bruys proditoris ipsius Regis et sibi in partibus Scocie adherencium qui adversus ipsum Regem in partibus illis guerram movere presumpserunt reprimendas de eisdem xxx^{a} et xx^{a} in Com. predicto videlicet de xxx^{a} omnium bonorum temporalium mobilium archiepiscoporum episcoporum abbatum priorum comitum baronum militum liberorum hominum et de xx^{a} bonorum mobilium civium burgensium ac communitatum omnium civitatum et burgorum ejusdem comitatus necnon tenencium de dominicis Regis exceptis armaturis equitaturis jocalibus robis vasis aureis argenteis et eneis militum et aliorum liberorum hominum et uxorum suarum que excipiuntur in forma taxacionis dictarum xxx. et xx. juxta formam eisdem taxatoribus inde liberatam sicut continetur in Memor' de termino Sancte Trinitatis anno supradicto et exceptis bonis illorum quorum bona mobilia juxta veram taxacionem eorundem ad valorem decem solidorum non attingunt de quibus Rex de consilio suo graciose concessit quod nichil penitus exigatur seu levetur ad opus Regis racione xxx^{e} et xx^{e} predictarum et exceptis similiter bonis mobilibus Prioris et fratrum hospitalis Sancti Joh'is Jer'l'm in Anglia et Magistri et fratrum milicie Templi in Anglia et villanorum suorum quorum bona ad dictas xxx^{am} et xx^{am} non fuerunt taxata propter fines quos dicti Prior et Magister pro se et villanis suis inde cum Rege fecerunt sicut continetur in Memor' de anno xxxv. termino Sancti Michaelis.

Iidem reddunt compotum de M^{l}. M^{l}. M^{l}. C. viij. li. xvj. s. ij. d. ob. q^{a}. receptis de tricesima tocius comitatus Linc' predicto anno xxxiiij^{to} sicut continetur in Rotulo de particulis quem liberaverunt in thesauro Et de CC. xxviij. li. xvj. s. vij. den. q^{a} de vicesima civitatis Linc' et quorundam aliorum dominicorum Regis et villarum mercatoriarum ejusdem comitatus de anno predicto sicut continetur ibidem.

Summa recepte—M^{l}. M^{l}. M^{l}. CCC. xxxvij. li. xij. s. x. d. In thesauro M^{l}. DCC. lx. li. xij. s. v. den. *etc.*

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Lanc [Ro. xxij.]

COMPOTUS fratris Fulcheri prioris Lanc' Roberti de Berewike attornati ejusdem sicut continetur in Memorandis de anno tercio pro eo Magistri Will'i de Lancastr' et Ranulphi Gentil executorum testamenti Johannis Gentil defuncti dudum unius taxatorum et collectorum xxx^{e} et xx^{e} predictarum in Com. Lanc. pro se et Edmundo de Dakre Will'o de Tatham et Will'o de Godesbeche executoribus testamenti Eustachii de Godesbeche dudum alterius taxatorum et collectorum tricesime et vicesime predictarum de eisdem xxx^{a} et xx^{a} per consimile breve Regis patens.

Iidem reddunt compotum de CC. iiij^{xx} iiij. li. xx. d. ob. de xxx^{a} bonorum mobilium tocius Com. Lanc' predicto anno xxxiiij^{to} preter tricesimam bonorum Prioris et fratrum Sancti Joh'is Jer'l'm in Anglia et villanorum suorum et Magistri et fratrum milicie Templi in Anglia ac villanorum suorum quibus Rex concessit quietanciam per finem ut supra continetur in Hereford' et preter xxx^{am} bonorum quorundam ejusdem comitatus quorum bona ad valenciam x. solidorum non attingunt que excipiebantur in taxacione etc. sicut continetur in Rotulo de particulis quem dicti collectores liberaverunt in thesauro Et de xvij. li. xx. d. de xx^{a} Burgorum de Lancastre Wygan Preston' et Dalton' ac villarum de Liverpole et Derbi ad eandem vicesimam taxatorum sicut continetur ibidem.

Summa Recepte—CCCj. li. iij. s. iiij. d. ob.

In thesauro Ciiij^{xx}x. li. per Joh'em Gentil in iij. tall' Item in th'o xxxj. li. per executores testamenti ejusdem Joh'is Gentil Et eisdem pro misis et expensis suis circa taxacionem et colleccionem predictas xx. mar. Et debent lxvj. li. xvj. s. viii. d. ob. Iidem reddunt compotum de eodem debito. In th'o vj. li. xvj. s. viij. d. ob. per executores testamenti Joh'is Gentil. Et debent lx. li. Et respondent in Rotulo quinto Regis E. filii Regis hujus in Lanc'.

[*Exch. L.T.R. Foreign Accounts*, Roll n° 2.]

COMPARATIVE TABLE OF RECEIPTS

County	THIRTIETH			TWENTIETH			TOTAL		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
1. NORTH OF TRENT									
Cumberland ...	394	16	$8\frac{3}{4}$	35	1	$10\frac{1}{4}$	429	18	7
LANCASTER ...	284	1	$8\frac{1}{2}$	17	1	8	301	3	$4\frac{1}{2}$
Northumberland ...	536	16	7	185	4	$7\frac{1}{4}$	722	1	$2\frac{1}{4}$
Westmoreland ...	253	7	9	5	0	$10\frac{3}{4}$	258	8	$7\frac{3}{4}$
York: W.R.[1] p[t] N.R.	...		...	...		...	1,540	8	$11\frac{3}{4}$
E.R[1] p[t] N.R.	...		...	...		...	2,008	12	10
City ...	...		...	333	6	8			
2. SOUTH OF TRENT									
Bedford	663	3	6	37	15	$3\frac{3}{4}$	700	18	$9\frac{3}{4}$
Cornwall	205	0	$9\frac{1}{4}$	58	14	5	263	15	$2\frac{1}{4}$
Essex	960	18	0	92	12	$2\frac{3}{4}$	1,054	10	$2\frac{3}{4}$
Hertford	361	10	4	19	9	10	381	0	2
Kent	1,567	5	$1\frac{1}{2}$	228	14	8	1,795	19	$9\frac{1}{2}$
Lincoln	3,108	16	$2\frac{3}{4}$	228	16	$7\frac{3}{4}$	3,337	12	10
Middlesex	278	0	$11\frac{1}{2}$	—	19	8^2	279	0	$7\frac{1}{2}$
Norfolk	2,371	9	$10\frac{1}{2}$	535	17	$4\frac{3}{4}$	2,907	7	$3\frac{1}{4}$
Suffolk	1,252	2	$6\frac{1}{2}$	60	0	$7\frac{3}{4}$	1,312	3	$2\frac{1}{4}$
Surrey	437	7	$0\frac{1}{4}$	38	11	9	475	18	$9\frac{1}{4}$
Sussex	756	13	6	63	5	$5\frac{1}{2}$	819	18	$11\frac{1}{2}$

Scutage[3] of the Army against the Scots

in the 28th, 31st and 34th years
assessed each time at forty shillings the fee.

(*)

28 EDW. I.

A.D. 1299. Writs of military summons, dated at Berwick-upon-Tweed 30 Dec. 1299, were issued, commanding a general muster at Carlisle on the feast of the Nativity of S. *John Baptist* following (24 June 1300).

[*Parliamentary Writs*, i. 327, 328]

[1] The Thirtieth and Twentieth are not separately stated. The Total for YORKSHIRE is £3,882 8*s.* $5\frac{3}{4}$*d.*

[2] This sum was paid by tenants of the king's palace of Westminster—"Et de xix. s. viij. d. de vicesima quorundam tenencium de palatio Regis Westm' ad dictam xx^am^ taxatorum sicut continetur ibidem [*i.e.* in Rotulo de particulis]."

[3] For the reason before stated (pp. 163, 165) no Scutage is returned for LANCASHIRE.

For this muster the names of all those having £40 (or more) yearly in land and rent in Lancashire were returned by the sheriff, as seen elsewhere (p. 227); and by writs tested (30 April 1300) at Stamford—Staunford in the roll—*Robert* de *Holonde* and *Matthew* de *Redman* were commanded to raise 2,000 foot in Lancashire, and to have them at Carlisle at the latest on the third or fourth day after the said feast (*i.e.* after 24 June).

[*Parliamentary Writs*, i. 342(30)]

31 Edw. I.

Writs of military summons, dated at Westminster 7 Nov. 1302, were issued, commanding a general muster at Berwick-upon-Tweed on the feast of Pentecost then next ensuing (*i.e.* 26 May 31 *Edw.* I., or 1303). *A.D.* 1302.

[*Parliamentary Writs*, i. 366, 367]

William de *Dacre*, *Henry* de *Kygheley* and *Robert* de *Hephale* were assigned to raise seven hundred foot in Lancashire, who were to be at Lancaster on Sunday the fifth of May, ready to begin their march on Monday (the sixth) under the leadership of *William* de *Dacre* to Roxburgh, where *Edward* intended to be on the twelfth of May. *Robert* de *Beaufoy* clerk was appointed to pay wages for the six days.

[*Parliamentary Writs*, i. 370]

34 Edw. I.

Writs of military summons, dated at Winchester 5 April 1306, were issued, commanding a general muster at Carlisle in fifteen days of the Nativity of S. *John Baptist* following (8 July 1306). *A.D.* 1306.

[*Parliamentary Writs*, i. 374]

Under the previous section (p. 254) mention has been made of the invitation given by the king to all those who wished to be knighted at the same time as his son, that they should come before the date fixed (22 May) and receive the necessaries for knighthood out of the royal wardrobe. Nearly three hundred[1] persons, having accepted this offer, presented themselves for the ceremony on the appointed festival. At the banquet given on the same day[2] (according to *Trivet*), while the king sat at table surrounded by the newly made knights, a great number of minstrels entered bearing highly ornamented clothing (*multiplici*

[1] See the note below (p. 264). *Hemingford* gives the number as two hundred and ninety-seven.

[2] "Eodem die cum sederet in mensa" [*Nic. Triveti Annales* (ed. Hog), 408].

ornatu amictum), in order to induce these novices to vow themselves to some deed of arms before the swan. *Edward* himself set the example by making a vow in a manner so strange and remarkable that lord *Hailes* feels constrained to observe in a note (*Annals of Scotland*, ii. 4) :— "The circumstances attending this vow, as related by *M. Westm.* p. 454, are singular"; and, quoting the passage which describes the introduction of two swans covered with gilded nets, on sight of which the king vowed to the God of heaven and to the swans, that he would go into Scotland and take vengeance for the murder of Comyn,[1] he goes on to remark, "This is a most extraordinary passage, for the interpretation of which I have consulted antiquaries, but all in vain." As corroborating the fact mentioned by the historian, I find among various pieces of cloth, &c. supplied to *Geoffrey* the king's tailor, an item of one piece of green satin for covering two live swans on the day of Pentecost:—

"Eidem[2] ad cooperiendum ij. Cygnos vivos die Pentecostes ... ... j. pec' Cindon[is]vir[idis]aff[orciati]"

The roll, from which this extract is taken, is unfortunately imperfect but it shows the names of two hundred and forty-five[3] persons who were made knights at this festival. Among them are *John* de *Haverington*, *John* de *Warenne*, *Edmund* de *Arundel*, *Thomas* de *Greilly*, *John la Ware*, *Thomas* de *Ferrers*, and the notorious *Piers* de *Gavastone* (as here spelt). To each name is appended the colour (red, green or yellow) and kind of cloth furnished from the royal wardrobe. The king's tailor has also satin (*cindon*') to make twelve banners for the king with the arms of S. *Edmund* and S. *Edward*, and other banners with the arms of S. *George*. There is no date (the heading being gone) by which the roll can be identified, but the items referring to the prince of *Wales* fix it absolutely as belonging to the 22nd of May 1306. For instance:—

"Domino Edwardo Principi Wallie facto militi ad j. calcitram suam lineandam.

"Eidem ad capam suam lyneandam."

[*Exchequer*, *Q.R. Wardrobe*, 16/30.]

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[1] "Tunc allati sunt in pompatica gloria duo cigni vel olores ante regem, phalerati retibus aureis vel fistulis deauratis, desiderabile spectaculum intuentibus. Quibus visis rex vovit votum Deo cœli et cignis se velle proficisci in Scotiam," *etc.* [*Flores Historiarum* (ed. Luard) iii. 132]

[2] *i.e.* Galfrido Cissori Regis.

[3] *Matthew* of *Westminster* (*Flores Hist.* ed. Luard, iii. 131) gives the number as 300; *Trivet* (ed. Hog, 408) says that it exceeded 240; and *Hemingford* (ed. Hamilton, ii. 248) states it exactly as two hundred and ninety-seven.

While this sheet is standing in type, I find what proves to be a portion[1] of the just-mentioned roll by the character of the writing, arrangement of the items, and size (in length and width) of the parchment. Here, among those knighted with the prince of *Wales*, is named the mayor of London[2] (*John le Blound*). One entry shows the delivery of four cloths of gold to cover the walls behind the king and prince, as they sat at table[3] on the feast of Pentecost (p. 264).

The newly made knights accompanied the prince of *Wales* who set out immediately for Scotland, whither three separate bodies of armed men had already been dispatched under the leadership of *Aymer* de *Valence*, *Robert* de *Clifford*, and *Henry* de *Percy*. *Edward* himself was unable to follow except by easy stages. Indeed the infirmity in his legs had quite lately prevented his riding on horseback from Winchester, and compelled him to submit to being carried in a car.[4] An order had been given (10 May) for a general muster at Carlisle on the eighth of July[5] following, and *Edward* appointed the archbishop of *York* and the bishop of *Coventry* and *Lichfield* guardians of England during his absence. *A.D.* 1306.

The force assembled accordingly, and the campaign was carried on vigorously in the autumn of that year (1306) by the prince who gained signal successes over the *Scots*, many of their nobles and knights being taken prisoners on these occasions and then executed. *Bruce* was reduced to great straits, and had to conceal himself as best he could, now with one, now with another, of his chief adherents; ever moving from place to place for fear of surprise or betrayal. *Edward* was meanwhile remaining inactive at Lanercost abbey, where he passed the entire winter. At the beginning of the following year (1306–7) he gave orders for the pursuit of *Bruce* and other *Scots*, then hiding in the Isles and other usually inaccessible places. Levies were in February commanded[6] to be made for this purpose in the northern counties; and a month later (19 March) desiring greatly to capture *Bruce* and his accomplices, represented to be lurking in the moors and marshes of

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[1] One membrane rolled, now known as *Miscellaneous Rolls* (*Chancery*), 15/19, or Bundle 15, n° 19. *See* Second Report of the Deputy Keeper of the Public Records, App. ii. 59.

[2] Mr. *Loftie* has this note (*History of London*, ii. App. A, 307):— "He appears to have been knighted this year [1306], and to be the first mayor who attained this rank: but Stow gives it to several before him."

[3] "Domino Thome de Bykenore ad extendendum per parietes retro dominos Regem et Principem dum sedebunt [*sic*] ad prandium in festo Pentecostes apud Westm'... ... ...iiij. panni ad aurum in canabo."

[4] "currizando quia ob infirmitatem quam habuit in tibiis non potuit equitare." [*Nic. Triveti Ann.* (ed. Hog) 408]

[5] *Parliamentary Writs*, i. 377 (22); from *Close Roll*, 34 *Edw.* I. *m.* 16.

[6] See *Parliamentary Writs*, i, 379 (3).

Scotland, *Edward* directed[1] *Robert* de *Lathum*, *Nicholas* de *Leyburne*, *William Gentil*, *Alan le Noreys*, with *John* de *Kirkeby* clerk, to raise a thousand foot in Lancashire; of which number one hundred and fifty were to be of *Henry* de *Lacy*'s (earl of *Lincoln*) liberty of Blakeburnshire, and the rest from the body of the county. They were to be led to Carlisle so as to be there without fail on Saturday fortnight after Easter (or 15 April 1307), well armed and ready in all points to march against the king's enemies. In like manner other commanders were assigned to make levies in Cumberland, Westmoreland and elsewhere, the total force being two thousand five hundred.

Still intent upon the fulfilment of his vow, the king ordered (3 June) yet more footmen to assemble at Carlisle in three weeks from Midsummer day.[2] He fell ill and was troubled with dysentery[3]; and, as he was not seen, or spoken to, but by his chamber attendants, a rumour got abroad that he was dead. This fact coming to his knowledge, and being impatient of delay, *Edward* resolved to anticipate the arrival of the new levies, and commanded every preparation to be made for going into Scotland at once. He moved his camp from Carlisle about two miles on the third of July which was Monday. On Tuesday he rode on horseback with pain and difficulty about other two miles, and rested on Wednesday. On Thursday he came to Burgh upon the Sands, and intended to remain there on the morrow. His daily custom was to lie in bed until nine o'clock, and on Friday, when he was being raised by his attendants to eat, he fell back and expired in their arms. The king passed away from this world on the seventh of July, the day of the Translation of S. *Thomas* archbishop and martyr. The fact of his death was concealed[4] until the arrival of his son with other great persons, and many who announced the king's decease were imprisoned for spreading false news. *Edward* had just completed his sixty-eighth year, for he was born on the 17th (*Paris*), or the 18th (*Ann. Mon.*), of June 1239; as mentioned on a previous page (28). It is seen by writs yet extant that he was able, notwithstanding his grievous state of weakness, to attend to the routine of his kingly office up to the very eve of his death. Three writs of *diem clausit extremum*,[5] directed to *Walter* de *Gloucester* escheator beyond Trent, bear the *teste* of *Edward*

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[1] *Parliamentary Writs*, i. 380 (4); from *Pat. R.* 35 *Edw.* I. *m.* 23.

[2] *Patent Roll*, 35 *Edw.* I. *m.* 11; printed in *Parliamentary Writs*, i. 380 (5).

[3] These details of the king's last sickness and death are taken from *Hemingford* (ed. Hamilton), ii. 266.

[4] Inquisitions taken in distant parts of the country are found which named the king as yet reigning several days after his decease.

[5] The persons named were:—1. *Bogo* de *Knoville* (*Inq.* 35 *Edw.* I. n° 42); 2. *Guy* de *Brian* (*Inq.* 35 *Edw.* I. n° 32); 3. *Margery*, daughter and heir of *Roger* de *Claverynge* (*Inq.* 34 *Edw.* I. n° 10).

the sixth of July at Burgh upon the Sands. Other writs tested at the me place and on the same day appear in the *Close Roll* (*m.* 2) for *atherine* who was wife of *John Byset*, and for the executors of the stament of *Isabel* de *Fortibus* countess of *Albemarle*[1]; and a third, mmanding the before-named escheator beyond Trent that he was to use all heirs under age who were wards of the king, to have reasonable stenance, according to their degrees in life (*racionabilem sustentacionem am juxta eorum status exigenciam*), out of the issues of his bailiwick, which due allowance should be made in his accompt at the xchequer.[2]

The actual record of *Edward*'s death, as entered in the *Chancery* lls, has been printed before,[3] but it may be fitly repeated here, as llows :—

MEMORANDUM quod die Veneris videlicet septimo die Julii no D'ni M°. CCC. septimo jubente Ipso Cujus famulantur perio mors et vita inclite recordacionis dominus Edwardus ex Anglie apud Burgum super Sabulones extra Karliolum eundo versus partes Scocie zelo devocionis et fidei accen- is ad vindicandum despectum et sacrilegam contumeliam eo et sancte ecclesie inhumaniter factos per Robertum de rus qui dominum Johannem Comyn de Scocia in ecclesia atrum minorum de Dumfres' sediciose interfecerat necnon ad ejusdem Roberti rebellionem et pertinaciam in manu otenti salubriter reprimendam pro eo quod contra homagii et delitatis sue sacramentum se in Regem Scocie prodicionaliter cerat coronari et anno regni sui tricesimo quinto ab hac ce feliciter migravit cujus anima in celestibus collocetur agistro Rad'o de Baudoke episcopo Lond' cancellario suo m magno sigillo ipsius regis London' tunc temporis xistente qui quidem cancellarius brevia de cursu cum eodem gillo per consilium dominorum Ottonis de Grandissono . le Brabazon et aliorum de consilio ejusdem regis necnon per consilium dominorum Will'i de Blyburgh' cancellarii Walteri Renaud custodis garderobe domini Edwardi filii heredis ipsius domini regis usque ad diem sancti Jacobi ostoli sequentem proximo consignavit eo quod prefatus

[1] For her lands mentioned in great detail see *Exch. Q.R. Memoranda*, Edw. I. *m.* 51.

[2] *Close Roll* (129), 35 *Edw.* I. *m.* 1.

[3] See Rymer's *Fœdera*, i. 1018, where it is printed from the *Patent Roll* this year (35 *Edw.* I.), *m.* 1.

episcopus de morte ejusdem regis ante diem illum certitud-
inem non habebat et die Sabati proximo sequente sero idem
cancellarius regis a dicto domino Edwardo filio tunc apud
Karliolum existente ubi domini Antonius de Beke episcopus
Dunolm' et patriarcha Jerosolimatanus H. de Lacy comes
Linc[olnie] et alii comites et barones regni secum existentes
homagia et fidelitates suas eidem tanquam regi feceran
per litteras ipsius domini Edwardi sub privato sigillo suo
signatas recepit in mandatis ut sigillum dicti patris sui sib
deferret vel illud sibi sub salva et secura custodia sub sigillo
suo mitteret quod postmodum per dominum Hug' de Burgo
clericum de cancellaria et dominos Ric'm de Lughteburgh
et Joh'em de Munden' clericos ipsius episcopi die Martis in
crastino sancti Petri ad vincula sub sigillo ipsius episcop
et sigillo dicti domini Will'i de Blyburgh' usque Karliolum
missum fuit.

[*Fine Roll* (105), 35 *Edw.* I. *m.* 1

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*** The italic letter *n* after the page signifies *note ;* thus 20*n* = page 20 *note.*

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END OF VOLUME I.

WYMAN AND SONS, LIMITED, GREAT QUEEN STREET, LONDON, W.C.

THE
BOUND TO PLEASE
Heckman Bindery INC.
OCT.65
N. MANCHESTER,
INDIANA